



**Study Session Agenda
City of Council Bluffs, Iowa
May 8, 2017, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. Advance SW Iowa - Paula Hazelwood
- B. Affirmatively Furthering Fair Housing Assessment Kick-Off
- C. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting May 8, 2017, 7:00 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda & Tape recordings of this proceeding to be incorporated into the official minutes
- B. Reading, correction and approval of the April 24, 2017 City Council Meeting Minutes
- C. Resolution 17-92
Resolution of intent to dispose of certain property interest located on Outlot B, River's Edge Subdivision by granting an easement for the benefit of the Board of Water Works Trustees of the City of Council Bluffs and to sell and transfer the associated water lines and appurtenances lying within said easement and all other public rights of way within the River's Edge Subdivision and associated Replats and setting a Public Hearing for May 22, 2017 at 7:00 p.m.
- D. Resolution 17-93
Resolution setting a Public Hearing for 7:00 p.m. on May 22, 2017 for the East Manawa Sewer Rehab, Phase VI Project # PW18-09
- E. Resolution 17-94
Resolution setting a Public Hearing for 7:00 p.m. on May 22, 2017 for the S. 1st Street Neighborhood Rehab, Phase VIII Project # PW18-12
- F. Resolution 17-95
Resolution accepting the work of Compass Utility, LLC as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the East Manawa Sewer Rehab, Phase V
- G. Mayor's Appointments
 - 1) Storm Water Advisory Committee
 - 2) Zoning Board of Adjustments
- H. Notice of Claim (2)
- I. Lawsuits (2)
- J. Notice of Right of Redemption (3)

4. MAYORS PROCLAMATIONS

- A. National Historic Preservation Month - May 2017

5. PUBLIC HEARINGS

- A. Resolution 17-96
Resolution to apply for FY 2016 statewide federal capital assistance through the Iowa DOT for the purchase of new vehicles for the Special Transit Service
- B. Ordinance 6292
Ordinance to amend Chapter 15.16 C-3/Commercial District, by amending Section 15.16.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)
- C. Ordinance 6293
Ordinance to amend Chapter 15.17 C-4/Commercial District, by amending Section 15.17.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)

6. ORDINANCES ON 1ST READING

- A. Ordinance 6294
Ordinance to amend Title 9 "Traffic", by amending Chapter 9.72.325 entitled "Safety belts and safety harnesses"

7. ORDINANCES ON 3RD READING

- A. Ordinance 6289
Ordinance establishing the Valley View Urban Revitalization area within the City of Council Bluffs

8. RESOLUTIONS

- A. Resolution 17-97
Resolution approving the Plans, Specifications, Form of Contract and Cost Estimate for the Gifford Road Reconstruction, Phase II and S. 19th Street Extension Project #PW17-11
- B. Resolution 17-98
Resolution awarding the contract to Grunwald Mechanical for the Southwest Iowa Law Enforcement Training Center Roof Top Unit Replacement Project
- C. Resolution 17-99
Resolution approving a wage increase of non-union employees for July 1, 2017 through June 30, 2018
- D. Resolution 17-100
Resolution certifying the 2017 refuse collection lien schedule for nonpayment of residential refuse collection charges

9. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Special Event Applications

- 1) Celebrate CB Parade - May 20, 2017 at 10:30 am
- 2) Heartland Pride Parade - June 17, 2017 at 10:00 am

10. OTHER BUSINESS

11. ADJOURNMENT

DISCLAIMER:

If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 328-4616, by 5:00 p.m., three days prior to the meeting.



City Council Meeting Minutes April 24, 2017

CALL TO ORDER

A regular meeting of the Council Bluffs City Council was called to order by Mayor Matthew J. Walsh on Monday April 24, 2017 at 7:00 p.m.

Council Members Present: Melissa Head, Al Ringgenberg, Roger Sandau, Nate Watson and Sharon White.

Staff Present: Richard Wade

CONSENT AGENDA

Approval of Agenda & Tape recordings of this proceedings be incorporated into the official minutes

Reading, correction and approval of the April 10, 2017 City Council Meeting Minutes

Resolution 17-82

Resolution setting a Public Hearing for May 8, 2017 at 7:00 pm, on the Plans, Specifications, Form of Contract & Cost Estimate for the Gifford Rd Reconstruction, Phase II & S 19th St Extension (PW17-11)

Resolution 17-83

Resolution accepting the work of Jim's Hauling in connection with the Walnut Grove Elementary Restoration Project and authorizing the Finance Department to issue a City check in the amount of \$14,915.40

Resolution 17-84

Resolution accepting work of L.G. Roloff Construction Company, Inc. in connection with the River's Edge Subdivision Improvements - Phase II Division V, Water Main Improvements and authorizing the Finance Director to issue a City check in the amount of \$27,019.36

2016 Planning Commission Annual Report

February List of Bills

February Revenue & Expense Report

February Financial Report

March List of Bills

March Revenue and Expense Report

March Financial Report

Mayor's Appointments

Notice of Right of Redemption (9)

Sharon White and Nate Watson moved and seconded approval of Consent Agenda.

Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

A. Proclamation - Arbor Day

Mayor hereby proclaiming April 28, 2017 as "Arbor Day".

PUBLIC HEARINGS

Resolution 17-89

Resolution approving the Plans, Specifications, Form of Contract and Cost Estimate for the Police Department Headquarters Project (PD 18-01)

Heard from Richard Foster, North Sierra Drive, with questions regarding location. Al Ringgenberg and Melissa Head moved and seconded approval of Resolution 17-89. Unanimous, 5-0 vote.

Ordinance 6289

Ordinance establishing the Valley View Urban Revitalization area within the City of Council Bluffs

Sharon White and Melissa Head moved and seconded approval of second reading of Ordinance 6289. Unanimous, 5-0 vote.

Ordinance 6290

Ordinance to amend Title 13 entitled "Buildings and Construction", by repealing Chapter 13.08 entitled "Building Code" in its entirety and enacting a new Chapter 13.08 entitled "Building Code"

Sharon White and Nate Watson moved and seconded approval of Ordinance 6290. Unanimous, 5-0 vote.

Al Ringgenberg and Melissa Head moved and seconded approval of waiving 3rd consideration of Ordinance 6290. Unanimous, 5-0 vote. Ordinance passes into law.

Ordinance 6291

Ordinance to amend Title 13 entitled, "Buildings and Construction", by amending Chapter 13.06 entitled "Residential Code"

Sharon White and Roger Sandau moved and seconded approval of Ordinance 6291. Unanimous, 5-0 vote.

Al Ringgenberg and Nate Watson moved and seconded approval of waiving 3rd consideration of Ordinance 6291. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6292

Ordinance to amend Chapter 15.16 C-3/Commercial District, by amending Section 15.16.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)

Sharon White and Al Ringgenberg moved and seconded approval of 1st consideration of Ordinance 6292. Unanimous, 5-0 vote.

Ordinance 6293

Ordinance to amend Chapter 15.17 C-4/Commercial District, by amending Section 15.17.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)

Sharon White and Roger Sandau moved and seconded approval of 1st consideration of Ordinance 6293. Unanimous, 5-0 vote.

ORDINANCES ON 3RD READING

Ordinance 6288

Ordinance to amend Title 17 "Housing", by amending "Chapter 17.01.010 - Definitions" to amend paragraph (31) "Rental Property" to include additional members of a "Family"

Roger Sandau and Melissa Head moved and seconded approval of Ordinance 6288. Unanimous, 5-0 vote. Ordinance passes into law.

RESOLUTIONS

Resolution 17-85

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and BC Homes, LLC for Workforce Housing Tax Incentive Program (WHTIP) benefits

Sharon White and Melissa Head moved and seconded approval of Resolution 17-85. Unanimous, 5-0 vote.

Resolution 17-86

Resolution authorizing the Mayor and City Clerk to execute an agreement with KEV (Lifeline) for the purchase of a 2017 F450 Ambulance for the Council Bluffs Fire Department

Roger Sandau and Al Ringgenberg moved and seconded approval of Resolution 17-86. Unanimous, 5-0 vote.

Resolution 17-87

Resolution confirming the appointment of Brandon Garrett in the position of Director of Planning & Community Development with the City of Council Bluffs and approving the wage and benefit package offered to him

Sharon White and Melissa Head moved and seconded approval of Resolution 17-87. Unanimous, 5-0 vote.

Resolution 17-88

Resolution authorizing the 28E agreement with the Southwest Iowa Planning Council/Southwest Iowa Transit Agency to provide paratransit service under the City's Special Transit Service

Nate Watson and Melissa Head moved and seconded approval of Resolution 17-88.
Unanimous, 5-0 vote.

Resolution 17-90

Resolution authorizing an agreement with D & D Construction, Inc. for the demolition of buildings on State Orchard Road

Roger Sandau and Sharon White moved and seconded approval of Resolution 17-90.
Unanimous, 5-0 vote.

Resolution 17-91

Resolution authorizing the City Council to accept a 5 acre parcel of land from the Iowa Natural Heritage Foundation to be added to the Vincent Bluff Prairie Preserve and authorizing the Mayor to enter into an agreement with the Loess Hills Preservation Society to manage and maintain the property

Nate Watson and Al Ringgenberg moved and seconded approval of Resolution 17-91.
Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor License Renewals

- 1) Hog Stop, 2327 South 24th Street
- 2) Rodeo Saloon & BBQ, 164 W Broadway
- 3) Ruby Tuesday, 3150 24th Avenue

Liquor License Ownership Updates

- 1) Godfather's Pizza, 3020 West Broadway

Liquor License Special Events

- 1) Bike Night on 100 Block (4 dates)
- 2) Tom Hanafan Rivers Edge Park (LoessFest)

Sharon White and Melissa Head moved and seconded approval of Application for Permits and Cancellations A, B & C. Unanimous, 5-0 vote.

ADJOURNMENT

Mayor adjourned the meeting at 7:21 p.m.

The tape recording of these proceedings, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of these proceedings is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Matthew J. Walsh, Mayor
Attest: Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.: MIS-17-002

Resolution 17-92

Council Action: 5/8/2017

Submitted by: Rose E. Brown,
Planning Coordinator

Description

Resolution of intent to dispose of certain property interest located on Outlot B, River's Edge Subdivision by granting an easement for the benefit of the Board of Water Works Trustees of the City of Council Bluffs and to sell and transfer the associated water lines and appurtenances lying within said easement and all other public rights of way within the River's Edge Subdivision and associated Replats and setting a Public Hearing for May 22, 2017 at 7:00 p.m.

Background/Discussion

A water distribution system has been installed as part of the subdivision improvements to the River's Edge Subdivision. The system was installed under contracts by the City of Council Bluffs. At this time the easement for said water system located on and over Outlot B, River's Edge Subdivision, owned by the City of Council Bluffs should be dedicated to the Council Bluffs Water Works Board of Trustees.

The water lines and related appurtenances installed shall also be transferred to the Council Bluffs Water Works Board of Trustees. The system is installed over the easement discussed above as well as in the public rights-of-way located within the development.

The appropriate easement documents and bill of sale are included as attachments to this request.

Recommendation

The Community Development Department recommends dedication of the easement and transfer of the water system to the Council Bluffs Water Works Board of Trustees as shown in the attached documents.

ATTACHMENTS:

Description	Type	Upload Date
Easement Document	Resolution	4/28/2017
Bill of sale document	Resolution	4/28/2017
Resolution 17-92	Resolution	5/3/2017

EASEMENT AGREEMENT

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager. Reviewed and approved by legal counsel for the Board of Water Works Trustees of the City of Council Bluffs, Iowa.

Taxpayer Information: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Return Document To: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Grantors:

City of Council Bluffs

Grantees:

City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa

Legal Description: See next page.

Document or instrument number of previously recorded documents if applicable:

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT the City of Council Bluffs, Iowa, for good and sufficient valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey unto the City Of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa, (the "City Water Works") a permanent non-exclusive easement in varying width, over, across and through the following described real estate situated in the City of Council Bluffs, Pottawattamie County, Iowa, to-wit:

See Exhibit "A"

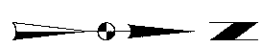
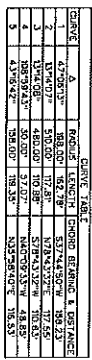
including the perpetual right to enter upon said real estate, at any time that it may see fit, and construct, inspect, maintain, repair, replace and operate or remove underground pipe lines and/or mains for the purpose of conveying water over, across, through and under said real estate, together with the right to excavate and refill ditches and/or trenches for the location of said pipe lines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of said pipe lines and/or mains.

The Easement herein granted shall be a servient estate which shall run with the land and be binding on the successors-in-interest to said tracts of land.

The said City Water Works shall properly and promptly refill any excavations made on said premises after the purpose of said excavation has been fulfilled and shall leave the premises in the same general condition as it was in before the said City Water Works went upon the same; further, that if any fences or existing structures are moved for the purpose of laying, maintaining, operating or replacing said main, such fences and structures shall be promptly replaced by said City Water Works upon completion of the work requiring such removal.

In further consideration for the good and sufficient valuable consideration received by the undersigned, the undersigned agrees that it will not place any permanent structures upon or over said easement without first obtaining the written consent of said City Water Works; further, the undersigned covenants with Grantee that it is lawfully seized and possessed of the real estate above described; that it has good and lawful right to convey it, or any part thereof, that it is free from

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[illegible]

BILL OF SALE

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager. Reviewed and approved by legal counsel for the Board of Water Works Trustees of the City of Council Bluffs, Iowa.

Taxpayer Information: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Return Document To: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Grantors:

City of Council Bluffs, Iowa

Grantees:

City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa

Legal Description: See next page.

Document or instrument number of previously recorded documents if applicable:

BILL OF SALE

For the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, The City of Council Bluffs, Iowa (the "Seller"), does hereby sell, assign, transfer and set over unto the City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa (the "Buyer"), the following described personal property, to-wit:

all water lines and appurtenances thereto lying either within a certain easement granted to the Buyer by the Seller, which easement is over, across and through the real estate situated in Pottawattamie County, Iowa, as described in the plat attached hereto as Exhibit 1 or the public rights-of-way identified in said plat

which personal property is currently in the possession of Seller.

The above named Buyer does hereby assent to becoming the owner of the above described property.

Seller hereby covenants with Buyer that Seller is the owner of said personal property, that Seller has good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Seller covenants to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

[signature page follows]

Signed the month, day and year appearing opposite the signature block.

City of Council Bluffs Iowa

Dated: _____

By: _____
Matthew J. Walsh, Mayor

Dated: _____

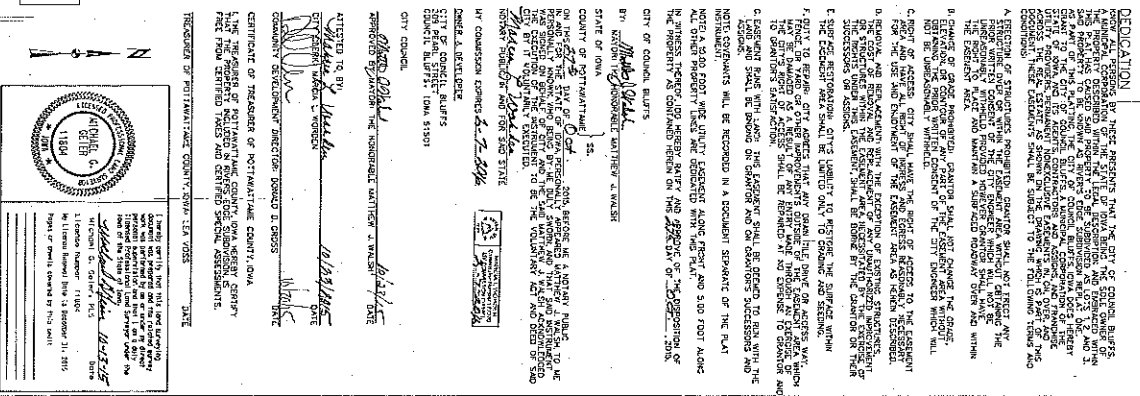
By: _____
Jodi Quakenbush, City Clerk


STATE OF IOWA)
) ss
COUNTY OF POTTAWATTAMIE)

On this _____ day of _____, 2017, before me, a Notary Public in and for said county, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who being by me duly sworn did say that they are the Mayor and City Clerk respectively of the City of Council Bluffs, Iowa; that the instrument was signed and sealed on behalf of the City of Council Bluffs by authority of the City Council of the City of Council Bluffs, as contained in Resolution Number _____ adopted and passed by the City Council on the _____ day of _____, 2017, and that Matthew J. Walsh and Jodi Quakenbush acknowledged the execution of said instrument to be the voluntary act and deed of said City Council, by it voluntarily executed.

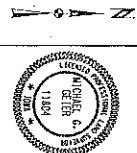
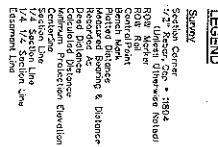
Notary Public in and for said State

		07/07/15	#1H
		07/07/15	#1H
		07/02/15	PLC
		DATE	BY
Scale:	1"=50'		
Field No:	Pg		
Sheet 1 of 1			



Sheet 1 of 1 Project No. 115055B		RIVER'S EDGE SUBDIVISION REPLAT ONE		3 REVEALED PLAT NAME 2 WOOD L.J. DEMARCADO 1 MIXED WATER L&S EASEMENT
		FINAL PLAT	COUNCIL BLUFFS, IOWA	ENGINEER: MGC CHECKED BY: MGC TECHNICIAN: RLC DATE: 07-27-17
		SNYDER & ASSOCIATES, INC. 1751 MADISON AVENUE COUNCIL BLUFFS, IA 51503 712-337-2300 www.snyderassociates.com		Project No: 115055B

AVENUE B



RIVER'S EDGE SUBDIVISION		COUNCIL BLUFFS, IA	
FINAL PLAT		COUNCIL BLUFFS, IA	
SNYDER & ASSOCIATES, INC.		1761 MADISON AVENUE COUNCIL BLUFFS, IA 51503 712-322-3202 www.snyder-associates.com	
Project No: 1051066		Sheet 1 of 1	

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 17-94

A RESOLUTION OF INTENT TO DISPOSE OF CERTAIN PROPERTY INTEREST LOCATED ON OUTLOT B, RIVER'S EDGE SUBDIVISION BY GRANTING AN EASEMENT FOR THE BENEFIT OF THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF COUNCIL BLUFFS AND TO SELL AND TRANSFER THE ASSOCIATED WATER LINES AND APPURTENANCES LYING WITHIN SAID EASEMENT AND ALL OTHER PUBLIC RIGHTS OF WAY WITHIN THE RIVER'S EDGE SUBDIVISION AND ASSOCIATED REPLATS, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Water lines and appurtenances have been installed within the River's Edge Subdivision and associated replats in order to provide water service to the subdivision; and

WHEREAS, this City Council hereby declares its intent to consider the dispose of certain property interest located on Outlot B, River's Edge Subdivision by granting an easement for the benefit of the Board of Water Works Trustees of the City of Council Bluffs; and

WHEREAS, this City Council hereby declares its intent to sell and transfer the associated water lines and appurtenances lying within said easement and all other public rights of way within the River's Edge Subdivision and associated replats to the Board of Water Works Trustees of the City of Council Bluffs.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That this City Council hereby declares its intent to consider granting the easement described above and considering the sale of the associated water lines and appurtenances lying within said easement; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for May 22, 2017.

ADOPTED
AND
APPROVED:

May 8, 2017

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW18-09
Submitted by: Matthew Cox, City
Engineer

Resolution 17-93

Council Action: 5/8/2017

Description

Resolution setting a Public Hearing for 7:00 p.m. on May 22, 2017 for the East Manawa Sewer Rehab, Phase VI Project # PW18-09

Background/Discussion

- The area of East Manawa is very flat with open ditches. There are no storm sewers in this area and the streets are thin asphalt or seal-coated rock roads. During rainfall events, considerable surface ponding occurs due to the poor drainage.
- Due to the narrow right-of-way (30 ft.) and the high water table in the area, conventional storm sewer construction is not practical. The use of porous pavement in conjunction with a drainable granular base and shallow subdrain/conveyance system was determined to be the most cost effective means available to improve the area drainage.
- The rehab program also includes installation of new sanitary sewers utilizing a vacuum system.
- Phase I and II of the program have been completed and included Huron Circle from Navajo to north of Osage Street. Phase III of the program was construction of the sanitary sewer vacuum pump station. Phase IV included the first phase of vacuum sewer installation with the porous pavement and subdrain system on Huron Circle from Navajo to just west of Blackhawk Street. Phase V is substantially complete and continued the rehab along Huron Circle from just west of Blackhawk Street to 585 feet east and Osage Street from Huron Circle to Victor Street.
- Phase VI is located on Blackhawk Street from Huron Circle south to Victor Street and Victor Street from Osage Street to Blackhawk Street.
- This project is included in the FY18 CIP with a budget of \$1,000,000 in Sales Tax Funds.
- The project schedule is as follows:

Set Public Hearing	May 8, 2017
Hold Public Hearing	May 22, 2017
Bid Letting	June 13, 2017
Award	June 26, 2017
Construction Start	July 2017

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Resolution	4/28/2017
Resolution 17-93	Resolution	5/3/2017

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
East Manawa Sewer Rehab, Phase VI
Project # PW18-09

A public hearing will be held on May 22, 2017, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase VI project. The project will include reconstruction of the sanitary sewer, street pavement, water main and a new storm sewer. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council
of the
City of Council Bluffs, Iowa
Jodi Quakenbush, City Clerk

**RESOLUTION
NO 17-93**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
EAST MANAWA SEWER REHAB, PHASE VI
PROJECT #PW18-09**

WHEREAS, the City wishes to make improvements known as the East Manawa Sewer Rehab, Phase VI, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase VI setting May 22, 2017, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW18-12
Submitted by: Matthew Cox, City
Engineer

Resolution 17-94

Council Action: 5/8/2017

Description

Resolution setting a Public Hearing for 7:00 p.m. on May 22, 2017 for the S. 1st Street Neighborhood Rehab, Phase VIII Project # PW18-12

Background/Discussion

- The South 1st Street neighborhood bounded by Pierce Street on the north, Palmer Avenue on the south, 1st Street on the west and Franklin Avenue on the east consists of some of the original town subdivision within the city.
- Records indicate that the infrastructure in this area dates back prior to the 1950's and is in need of replacement. Storm sewers are lacking or undersized, sanitary sewers are leaking and broken and the pavements are in poor condition. Improvement projects will be phased over several years to replace and upgrade the aged infrastructure.
- Phases I thru VI are complete and included portions of Knepper Street, Damon Street, Hill Street, Stutsman Street, Langstrom Street, Franklin Avenue, Platner Street, Carson Avenue, Grace Street, Kappell Avenue, Charles Street, Garden Street, Bloomer Street, Clinton Street, Voorhis Street, and Stahl Avenue.
- The Phase VII project was a continuation along Grace Street. It is substantially complete and the contractor is currently working on the remaining punch list items.
- The next phase is scheduled for construction in 2017 and will include Stutsman Street from East Pierce Street to Platner Street, Voorhis Street from Stutsman Street west to the dead end, and Platner Street from Grace Street to Stutsman Street.
- This project is included in the FY18 CIP with a budget of \$1,000,000 in Sales Tax Funds.
- The project schedule is as follows:

Set Public Hearing	May 8, 2017
Hold Public Hearing	May 22, 2017
Bid Letting	June 15, 2017
Award	June 26, 2017
Construction Start	July 2017

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice	Other	5/1/2017
Resolution 17-94	Resolution	5/3/2017

Notice of Public Hearing

on the

Plans, Specifications, Form of Contract and Cost Estimate

for the

South 1st Street Neighborhood Rehab, Phase VIII

Project # PW18-12

A public hearing will be held on May 22, 2017, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the South 1st Street Neighborhood Rehab, Phase VIII project. The project will include reconstruction of the sanitary and storm sewers, street and sidewalk pavement and water main. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

RESOLUTION
NO 17-94

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
SOUTH 1ST STREET NEIGHBORHOOD REHAB, PHASE VIII
PROJECT #PW18-12**

WHEREAS, the City wishes to make improvements known as the South 1st Street Neighborhood Rehab, Phase VIII, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the South 1st Street Neighborhood Rehab, Phase VIII setting May 22, 2017, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW-17-09
Submitted by: Matthew Cox, City
Engineer

Resolution 17-95

Council Action: 5/8/2017

Description

Resolution accepting the work of Compass Utility, LLC as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the East Manawa Sewer Rehab, Phase V

Background/Discussion

- The area of East Manawa is very flat with open ditches. There are no storm sewers in this area and the streets are thin asphalt or seal-coated rock roads. During rainfall events, considerable surface ponding occurs due to the poor drainage.
- Due to the narrow right-of-way (30 ft.) and the high water table in the area, conventional storm sewer construction is not practical. The use of porous pavement in conjunction with a drainable granular base and shallow subdrain/conveyance system was determined to be the most cost effective means available to improve the area drainage.
- The rehab program also includes installation of new sanitary sewers utilizing a vacuum system.
- Phase I and II of the program have been completed and included Huron Circle from Navajo to north of Osage Street. Phase III of the program was construction of the sanitary sewer vacuum pump station. Phase IV is complete and included the first phase of vacuum sewer installation with the porous pavement and subdrain system on Huron Circle from Navajo to just west of Blackhawk Street. Phase V included vacuum sewer installation with the porous pavement and subdrain system for the remainder of Huron Circle (from Blackhawk Street to 350 ft. east of Osage Street) and Osage Street from Huron Circle to just east of Victor Street.
- This project was included in the FY17 CIP with a budget of \$1,250,000 in Sales Tax Funds.

	Division I	Division II	Division III	Division IV	Division V	
	<u>General</u>	<u>Pavement</u>	<u>Storm Sewer</u>	<u>San. Sewer</u>	<u>Water</u>	<u>Total</u>
Original Contract Amount	\$371,408.43	\$374,973.39	\$97,278.54	\$262,101.29	\$137,259.17	\$1,243,020.82
Change Orders (-4.92%)	(\$30,307.90)	(\$333.24)	\$1,643.75	(\$25,704.95)	(\$6,442.80)	(\$61,145.14)
Final Contract Amount	\$341,100.53	\$374,640.15	\$98,922.29	\$236,396.34	\$130,816.37	\$1,181,875.68
Less Previous Payments	\$324,045.50	\$355,908.14	\$93,976.18	\$224,576.52	\$124,275.55	\$1,122,781.89
Retainage Due Contractor	\$17,055.03	\$18,732.01	\$4,946.11	\$11,819.82	\$6,540.82	\$59,093.79

- The Contractor completed the project on time and did not receive any non-compliance notices.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-95	Resolution	5/3/2017

**RESOLUTION
NO 17-95**

**RESOLUTION ACCEPTING THE WORK OF
COMPASS UTILITY LLC IN CONNECTION WITH
THE EAST MANAWA SEWER REHAB, PHASE V
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE
A CITY CHECK IN THE AMOUNT OF \$59,093.79
PROJECT #PW17-09**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Compass Utility LLC, Council Bluffs, IA for the East Manawa Sewer Rehab, Phase V; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$59,093.79 to Compass Utility LLC, has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$59,093.79 constitutes a valid obligation of the City and should in its best interest be paid.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications.

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$59,093.79 payable to Compass Utility LLC from budget codes Division I, G21800-676000; Division II, G21800-676200; Division III, G21800-676500; Division IV, G21800-676700; Project #00562.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

RETURN TO: CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 17-PW-1831

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: James and Beverly Ellis DAY PHONE: 712-323-4481
ADDRESS: 1319 - 18th Avenue DOB: _____

DATE & TIME OF LOSS/ACCIDENT: February 2017

LOCATION OF LOSS/ACCIDENT: 1319 - 18th Avenue

DESCRIPTION OF LOSS/ACCIDENT: Oak Tree was removed during Levee
Tree Clearing Project by Public Works. Tree was believed to be
encroaching the Levee. After Row was stated it was found
to be one foot inside property line. (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 1000.00

WITNESS(ES) (Name(s), Address(es), Phone No(s)).

WAS POLICE REPORT FILED YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY
OTHER RELEVANT INFORMATION: _____

LIST INSURANCE PROVIDER AND COVERAGE: _____

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY
CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A
FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

DATE: April 17, 2017

CLAIMANT'S SIGNATURE: James Ellis

CLERK RCVD
19 APR '17
PM 2:57

APR 17

RETURN TO: CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 17-PW-1832

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: MATT ALLEN DAY PHONE: 402-510-9360
ADDRESS: 202 NORTH MILLARD STREET DOB: 3-12-61
DATE & TIME OF LOSS/ACCIDENT: APRIL 6 2017 - Between 8-11 AM ?
LOCATION OF LOSS/ACCIDENT: 202 North Millard St.
DESCRIPTION OF LOSS/ACCIDENT: MAIL BOX Damage

(USE BACK OF FORM, IF NECESSARY)
TOTAL DAMAGES CLAIMED: \$ 77.32 --> 74.87 mailbox + 2.45 ~~other~~
WITNESS(ES) (Name(s), Address(es), Phone No(s)): PUBLIC WORKS CREW

numbers to
put on mailbox
= 77.32
attested
photos with
price.

WAS POLICE REPORT FILED ☐ YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

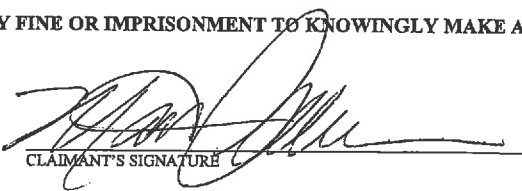
IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: WIFE NOTICED DAMAGED MAIL BOX AFTER
PUBLIC WORKS WAS WORKING ON THE SEWER IN FRONT OF MAILBOX.
CALLED CITY AND THEY SAID THEIR CREW HAD ALREADY CALLED
TO REPORT THAT THEY HIT IT WITH THEIR BOBCAT
LIST INSURANCE PROVIDER AND COVERAGE:

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

4/17/17
DATE


CLAIMANT'S SIGNATURE

CLERK RCUD
24 APR 17
AMB:09

E-FILED 2017 APR 06 9:45 AM POTTAWATTAMIE - CLERK OF DISTRICT COURT
IN THE IOWA DISTRICT COURT FOR POTTAWATTAMIE COUNTY

AMERICAN FAMILY INSURANCE A/S/O LAURA METZGER, Plaintiffs,	Case No.
v.	
CITY OF COUNCIL BLUFFS, Defendant.	PETITION AT LAW

CLERK RCVD

20 APR'17

PM2:51

COMES NOW the Plaintiff, by and through counsel, and for its Petition at Law states:

1. The Plaintiff is authorized to bring this action.
2. Defendant CITY OF COUNCIL BLUFFS is located in Pottawattamie County, Iowa.
3. On or about November 30, 2015, Laura Metzger (the Insured) and the Defendant's snow plow driver, Daniel Kvigne, were involved in a motor vehicle collision which occurred between College Road and Kanesville Rd. Council Bluffs, IA 51503.
4. David Kvigne was operating the snow plow in scope of his employment with the Defendant.
5. Defendant owed the Insured a duty to ensure any permissive drivers of the snow plow operated the equipment in a safe and non-negligent manner.
6. Defendant breached that duty when David Kvigne struck the Insured.
7. Daniel Kvigne caused the accident with the Insured by making a left hand turn from the right most lane of a four lane roadway.
8. As a proximate and direct result of the Defendant's negligence, the Insured's vehicle was determined to be a total loss valued at \$4,328.95.
9. The Insured incurred further costs of \$372.00 for the towing and disposal of the vehicle, and \$457.50 for rental car fees.

OFN 228872



YFN **.*5272

CFN 00-215-095272



10. As a proximate and direct result of the Defendant's negligence, the Insured and her passenger suffered further damages in the form of medical/doctor/hospital bills in the amount of \$4,577.30.

11. After applying the Insured's \$500.00 deductible, Plaintiff paid \$9,235.75 to the Insured or on the Insured's behalf, and is subrogated to this claim and brings it in their own name.

12. Despite due demand for payment and after having given Defendant credit for all payments made and credit due thereon there remains due and owing to Plaintiff from Defendant the sum of \$9,735.75.

13. No part of said sum has been paid, although demand therefor has been made.

WHEREFORE, Plaintiff requests the Court enter judgment against the Defendant for \$9,735.75, plus post-Petition interest at the statutory rate, plus Court costs, and for such other and further relief as the Court deems just and proper in these premises.

March 29, 2017

/s/ Piper Lori Hughes AT0003675
Wetsch Abbott Osborn Van Vliet PLC
PO Box 2165
Cedar Rapids IA 52406
800/617-7593

IN THE IOWA DISTRICT COURT IN AND FOR POTTAWATTAMIE COUNTY, IOWA

LAURA METZGER

Plaintiff

Vs.

CITY OF COUNCIL BLUFFS

Defendant

ORIGINAL NOTICE

CASE NO.

TO THE ABOVE NAMED DEFENDANT(S):

CITY OF COUNCIL BLUFFS
C/O CITY ATTORNEY RICHARD WADE
209 PEARL ST
Council Bluffs IA 51503

3:48 Randy Christensen
4-19-07
205 PEARL ST
Council Bluffs

1. **YOU ARE NOTIFIED** that a petition has been filed in the office of the clerk of this court naming you as the defendant in this action. A copy of the petition (and any documents filed with it) is attached to this notice. The attorney for the plaintiff(s) is Kevin V. Abbott of Wetsch Abbott Osborn Van Vliet PLC whose address is PO Box 2165, Cedar Rapids IA 52406. That attorney's phone number is 800/617-7593; facsimile number 319/362-3277.

2. **JUDGMENT MAY BE ENTERED AGAINST YOU** unless you file an Appearance and Answer within **20 days** of the service of the Original Notice upon you. Judgment may include the amount demanded in the Petition plus interest and court costs.

3. **YOU MUST ELECTRONICALLY FILE** an Appearance and Answer using the Iowa Judicial Branch Electronic Document Management System (EDMS) at <https://www.iowacourts.state.ia.us/EFILE>, unless you obtain from the Court an exemption from electronic filing requirements.

4. If your Appearance and Answer is filed within **20 Days**, and you deny the claim, you will receive electronic notification through EDMS of the place and time of the hearing on this matter.

5. If you electronically file an Appearance and Answer, EDMS will serve a copy of the form on the Plaintiff, unless Plaintiff is exempt from electronic filing, or on the attorney for the Plaintiff. The Notice of Electronic Filing will indicate if you must mail a copy of your Appearance and Answer to Plaintiff.

6. You must also notify the Clerk's Office of any address change.

7. If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 712-328-5883, ext 6. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).

(SEAL)

CLERK OF COURT
POTTAWATTAMIE County Courthouse
POTTAWATTAMIE, Iowa

IMPORTANT

YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

OFN 228872



YFN **.*.*.*5272

CFN 00-215-095272



APR 19

STATE OF IOWA JUDICIARY

Case No. LACV116058

County Pottawattamie

Case Title AMERICAN FAMILY INS V. CITY OF COUNCIL BLUFFS

THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING.
Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the Iowa Judicial Branch website at <http://www.iowacourts.state.ia.us/Efile> and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM:
<http://www.iowacourts.state.ia.us/Efile>

FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16: <http://www.iowacourts.state.ia.us/Efile>

Scheduled Hearing:

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (712) 328-5883 . (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

Date Issued 04/06/2017 11:23:59 AM



District Clerk of Pottawattamie
/s/ June Woodbury

County

IN THE IOWA DISTRICT COURT FOR POTTAWATTAMIE COUNTY

LARRY JOE GASCOIGNE,
PLAINTIFF,

DOCKET NO. SCSC113654

CITY OF COUNCIL BLUFFS,
JEFFREY DEAN SPERRY,
DEFENDANT(S).

**ORIGINAL NOTICE AND PETITION
FOR MONEY JUDGMENT**

CLERK RCVD

20 APR'17

PM2:51

TO DEFENDANT: Jeffrey Dean Sperry

1. You are notified that Plaintiff demands from you the amount of \$1,733.05 based on property damage in addition to punitive damages plus court costs and attorney fees; that a judgement be entered against the Defendant with interest thereof at the statutory rate; and for such other relief as the Court deems just and equitable in the premises.
2. Judgement may be entered against you unless you file an Appearance and Answer within twenty days of the service of the Original Notice upon you. Judgement may include the amount requested plus interest and court costs.
3. You must electronically file the Appearance and Answer using the Iowa Judicial Branch Electronic Document Management System (EDMS) at <http://www.iowacourts.state.ia.us/EFile>, unless you obtain from the court an exemption from the electronic filing requirements.
4. If your Appearance and Answer is filed within twenty days and you deny the claim, you will receive electronic notification through EDMS of the place and time of the hearing in this matter.
5. If you electronically file, EDMS will serve a copy of the Appearance and Answer on the Plaintiff or on the attorney for the Plaintiff. The Notice of Electronic Filing will indicate if

Plaintiff.

6. You must also notify the clerk's office of any address change.

WHEREFORE Plaintiff prays that a judgment be entered against the Defendants with interest thereof at the statutory rate; that the Defendants be ordered to pay the Plaintiff's attorney fees; that the costs of this action be assessed against the Defendants; and for such other relief as the Court deems just and appropriate in the premises.

/s/ Jay W. Mez
226 South 6th Street
Council Bluffs, IA 51501
Telephone: 712-256-1049
Facsimile: 712-328-6855
E-Mail: jaywmezlawoffice@gmail.com
ATTORNEY FOR PLAINTIFF.

CLERK ROAD
21 APR 17
PM 4:20

TO: THOMAS E. LUSTGRAAF, 825 COLLEGE RD COUNCIL BLUFFS, IA 51503 - OWNER
THOMAS E. LUSTGRAAF, 7 WESTLAKE VLG COUNCIL BLUFFS, IA 51501 - OWNER
THOMAS E. LUSTGRAAF, 295 E GOLD DUST WAY SAN TAN VALLEY, AZ 85143 - OWNER
THOMAS E. LUSTGRAAF, 253 E DIAMOND TRL SAN TAN VALLEY, AZ 85143 - OWNER
THOMAS E. LUSTGRAAF, 19677 DEER RUN LN COUNCIL BLUFFS, IA 51503 - OWNER
DANAH L. LUSTGRAAF, 825 COLLEGE RD COUNCIL BLUFFS, IA 51503 - SPOUSE
DANAH L. LUSTGRAAF, 7 WESTLAKE VLG COUNCIL BLUFFS, IA 51501 - SPOUSE
DANAH L. LUSTGRAAF, 295 E GOLD DUST WAY SAN TAN VALLEY, AZ 85143 - SPOUSE
DANAH L. LUSTGRAAF, 253 E DIAMOND TRL SAN TAN VALLEY, AZ 85143 - SPOUSE
DANAH L. LUSTGRAAF, 19677 DEER RUN LN COUNCIL BLUFFS, IA 51503 - SPOUSE
PERSON IN POSSESSION, 825 COLLEGE RD COUNCIL BLUFFS, IA 51503 - PERSON IN POSSESSION
COUNCIL BLUFFS SAVINGS BANK n/k/a AVAILA BANK, 117 PEARL ST COUNCIL BLUFFS, IA 51503 - MORTGAGE
HOLDER
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST STE 102 COUNCIL BLUFFS, IA 51503 - CITY LIMITS
ANY OTHER UNKNOWN PERSONS WITH INTEREST

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on the 16TH day of June, 2014. The purchaser at tax sale was WADT PROPERTIES/BMO HARRIS.
2. The legal description of the property sold is:
Part of Lot 5, Auditor's Subdivision of the SW ¼ NE ¼ of Section 29, Township 75 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, now a part of the City of Council Bluffs, more particularly described as follows: Commencing at the NE corner of said Lot 5; thence South 285 feet; thence West to a point 150 feet East of the West line of Lot 5; thence North and parallel to the West line to the North line of Lot 5; thence Southeasterly to the point of beginning, except a triangular parcel of land described as follows: A parcel of land being part of Lot 5, Auditor's Subdivision of the SW ¼ NE ¼ of Section 29, Township 75 North, Range 43 West of the Fifth Principal Meridian, Council Bluffs, Pottawattamie County, Iowa, more particularly described as follows: Commencing at the Northwest corner of said Lot 5; thence S 1°04'00" E along the West line of said Lot 5 and the West line of said SW ¼ NE ¼ a distance of 333.00 feet; thence N 88°56'00" E a distance of 150.00 feet to the point of beginning; thence N 1°04'00" W along a line 150 feet from and parallel to the West line of said Lot 5, a distance of 246.62 feet to a point on the centerline of the College Road right-of-way, said point being S 61°08'00" E, a distance of 173.09 feet from the Northwest corner of said Lot 5, thence S 61°08'00" E along said centerline, a distance of 94.69 feet; thence leaving said centerline S 21°18'11" W, a distance of 215.60 feet to the point of beginning. Said parcel is subject to College Road right-of-way easement lying along the Northerly side, Pottawattamie County, Iowa a/k/a PARCEL # 754329200016
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the Treasurer of POTTAWATTAMIE County.

By


Samantha Ott, agent

for WADT PROPERTIES/BMO HARRIS

POTTAWATTAMIE 14/0068

CLERK ROVD
21 APR 17
PM 4:20

NOTICE TO REDEEM FROM TAX SALE

TO: Donald D. Worth
State of Iowa, Dept. of Revenue [Notices of Tax Lien filed in Book 2011 Page 13908,
Book 2011 Page 16647, and Book 2015 Page 03931]
City of Council Bluffs, IA
United States of America [Notice of Federal Tax Lien filed in Book 2010 Page 013861]

Any and all person(s) in possession of the parcel hereinafter described.

All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest both known and unknown, and all unknown claimants claiming to have any recorded or unrecorded right, title, or interest in and to the parcel hereinafter described.

YOU ARE HEREBY NOTIFIED that on the 16th day of June, 2014, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot 3, Block 8 in Hall's Addition to Council Bluffs, Pottawattamie County, Iowa

Parcel 754425309004

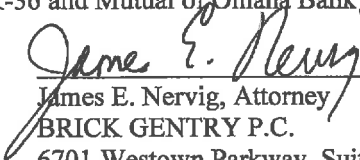
Tax Sale Certificate No. 14/0765

was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes against the parcel, that a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate is now lawfully held and owned by M2K-36, LLC and Mutual of Omaha Bank, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Dated this 10th day of April, 2017.

M2K-36 and Mutual of Omaha Bank,

By:


James E. Nervig, Attorney
BRICK GENTRY P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Telephone: 515/274-1450
Facsimile: 515/274-1488

CLERK RCVD
21 APR 17
PM 4:20

NOTICE TO REDEEM FROM TAX SALE

TO: Donald D. Worth
State of Iowa, Dept. of Revenue [Notices of Tax Lien filed in Book 2011 Page 13908,
Book 2011 Page 16647, and Book 2015 Page 03931]
City of Council Bluffs, IA
United States of America [Notice of Federal Tax Lien filed in Book 2010 Page 013861]

Any and all person(s) in possession of the parcel hereinafter described.

All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest both known and unknown, and all unknown claimants claiming to have any recorded or unrecorded right, title, or interest in and to the parcel hereinafter described.

YOU ARE HEREBY NOTIFIED that on the 16th day of June, 2014, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

The North 10 feet of Lot 6 and the South 20 feet of Lot 7, Block 3, Stutzman's First Addition to Council Bluffs, Pottawattamie County, Iowa

Parcel 754425487014

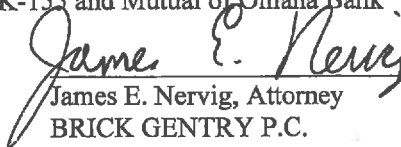
Tax Sale Certificate No. 14/0768

was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes against the parcel, that a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate is now lawfully held and owned by M2K-155, LLC and Mutual of Omaha Bank, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Dated this 10th day of April, 2017.

M2K-155 and Mutual of Omaha Bank

By:



James E. Nervig, Attorney
BRICK GENTRY P.C.

6701 Westown Parkway, Suite 100
West Des Moines, IA 50266

Telephone: 515/274-1450
Facsimile: 515/274-1488

City of Council Bluffs Iowa

Office of the Mayor

Proclamation

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, 'This Place Matters' is the theme for Council Bluffs Preservation Month 2017, co-sponsored by the Historic Preservation Commission and the National Trust for Historic Preservation.

NOW, THEREFORE, I,

**Matthew J. Walsh, Mayor
of the
City of Council Bluffs, Iowa
do hereby proclaim**

May 2017

As

NATIONAL HISTORIC PRESERVATION MONTH

in the City of Council Bluffs, Iowa and call upon all residents of this historic city to join me in supporting the goals of Preservation Month and participating in this special observation.



**IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
official seal of the City of Council Bluffs,
Iowa to be affixed this 8th day of May, in
the year Two Thousand Seventeen.**


Matthew J. Walsh, Mayor

Council Communication

Department: Public Works Admin
Case/Project No.:
Submitted by: Greg Reeder,
Director of Public Works

Resolution 17-96

Council Action: 5/8/2017

Description

Resolution to apply for FY 2016 statewide federal capital assistance through the Iowa DOT for the purchase of new vehicles for the Special Transit Service

Background/Discussion

- The City's Special Transit Service currently utilizes three light duty buses to provide specialized transportation for the disabled citizens of Council Bluffs. These vehicles are in active service and the City has maintained an additional vehicle which provides backup service when necessary to meet service demands or when one or more vehicles are down for repairs.
- Three of the current vehicles are 2011 models and all have in excess of 157,000 miles, well beyond the 100,000 mile replacement threshold recognized by the transit industry for light-duty buses.
- The 2016 Transportation Improvement Program developed by MAPA included replacement vehicles for the Council Bluffs Special Transit Service. Federal funding has been approved for 85% of the cost, with a federal funds ceiling of \$169,847.
- Prior to receiving the federal funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of federal funds for the purchase of Special Transit vehicles, the Authorizing Resolution and copy of city council minutes of the meeting where the public hearing is held.
- The FY17 transit budget includes \$19,000 for the City's 15% local match.

Recommendation

That the City Council approves submission of the Authorizing Resolution for FY 2016 statewide federal capital assistance.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-96	Resolution	5/3/2017

R E S O L U T I O N
NO. 17-96

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION
FOR FY 2016 STATEWIDE FEDERAL CAPITAL ASSISTANCE THROUGH
THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE
OF NEW VEHICLES FOR THE SPECIAL TRANSIT SERVICE.

- WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$169,847 in FY 2016 statewide federal capital assistance for use in purchasing new vehicles for the City's Special Transit Service; and
- WHEREAS, a public hearing notice was published as required by law, and the public hearing was held on May 8, 2017; and
- WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for FY 2016 statewide federal capital assistance to the Iowa DOT; and

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized and directed to submit an Authorizing Resolution for FY 2016 statewide federal capital assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J Walsh,

Mayor

ATTEST:

Jodi Quakenbush,

City Clerk

Council Communication

Department: City Clerk
Case/Project No.: Case #ZT-17-003

Ordinance 6292

Council Action: 5/8/2017

Submitted by: Rose E. Brown,
Planning Coordinator

Description

Ordinance to amend Chapter 15.16 C-3/Commercial District, by amending Section 15.16.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)

Background/Discussion

Subject/Title

CASE #ZT-17-002: Public hearing on the request of the Community Development Department to:

- Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
- Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Background

The Community Development Department is requesting a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) to:

- Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
- Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Tattoo parlors are currently allowed as principle use in the C-2 Commercial District and are not allowed as a conditional use permit in any zoning district.

The Community Development Department receives inquiries sporadically about allowing tattoo parlors in the downtown area primarily on properties zoned C-4. The C-3 Commercial District has been added to this request for discussion, as most property zoned C-3 is also in the downtown area.

All City departments and utility providers received a copy of the proposed text amendment. The Public Works Department, Building Division, Council Bluffs Fire Department, Council Bluffs Water Works and Black Hills Energy stated they have no comments with the proposed amendment.

The Council Bluffs Public Health Department has no objection to the request. Tattoo establishments are licensed by the Iowa Department of Public Health and inspected annually by the Council Bluffs Health Department.

No other comments have been received.

Recommendation

Recommendation

The Community Development Department recommends approval of the proposed text amendment as follows:

1. Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
2. Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Public Hearing

Speakers in favor:

1. Rose Brown, Planning Coordinator, Community Development, 209 Pearl Street, Council Bluffs, IA 51503

Speakers against: None.

Planning Commission Recommendation:

The Planning Commission recommends approval of the proposed text amendment as follows:

1. Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
2. Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

VOTE: AYE 5 NAY 3 ABSTAIN 0 ABSENT 2 VACANCY: 1 Motion: Carried

ATTACHMENTS:

Description	Type	Upload Date
Code	Code Section	4/14/2017
Ordinance	Ordinance	4/14/2017

15.16.020 Principal uses. The following principal uses shall be permitted outright in a C-3 district:

1. Automobile service establishment
2. Business, professional office
3. Business goods and service establishment
4. Club or lodge
5. College or university
6. Commercial recreation (indoor)
7. Consumer service establishment
8. Cultural service
9. Financial service
10. Funeral service
11. General government use
12. Hospital
13. Hotel/motel
14. Mixed commercial/residential structure
15. Newspaper printing
16. Park and recreation service
17. Pawn shop
18. Private parking lot
19. Public parking lot
20. Religious assembly
21. Restaurant (drive-in, limited and general)
22. Retail shopping establishment

- 23. School
- 24. Second hand store
- 25. ~~Tavern (Ord. 6027, Sec. 1, 2/23/09)~~ Tattoo parlor;
- 26. Tavern (Ord. 6027, Sec. 1, 2/23/09)

15.17.020 Principal uses. The following principal uses shall be permitted outright in the C-4 district:

1. Business, professional office
2. Business goods and service establishment
3. Club or lodge
4. College or university
5. Commercial recreation (indoor)
6. Consumer service establishment
7. Cultural service
8. Financial service
9. Funeral service
10. General government use
11. Hotel/motel
12. Mixed commercial/residential structure
13. Park and recreation service
14. Private parking lot
15. Public parking lot
16. Religious assembly
17. Restaurant (limited and general)
18. Retail shopping establishment
19. ~~Tavern~~ Tattoo parlor;
20. Tavern

ORDINANCE NO. 6292

AN ORDINANCE TO AMEND CHAPTER 15.16 C-3/COMMERICAL DISTRICT OF THE 2015 MUNICIPAL CODE (ZONING ORDINANCE) OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.16.020 “PRINCIPLE USES” TO INCLUDE “TATTOO PARLOR”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 15.16 “C-3/Commercial District” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.16.020 “Principle Uses” to include “Tattoo Parlor” by reading as follows:

15.16.020 Principal uses. The following principal uses shall be permitted outright in a C-3 district:

- (1) Automobile service establishment;
- (2) Business, professional office;
- (3) Business goods and service establishment;
- (4) Club or lodge;
- (5) College or university;
- (6) Commercial recreation (indoor);
- (7) Consumer service establishment;
- (8) Cultural service;
- (9) Financial service;
- (10) Funeral service;
- (11) General government use;
- (12) Hospital;
- (13) Hotel/motel;
- (14) Mixed commercial/residential structure;
- (15) Newspaper printing;
- (16) Park and recreation service;
- (17) Pawn shop;
- (18) Private parking lot;
- (19) Public parking lot;
- (20) Religious assembly;
- (21) Restaurant (drive-in, limited and general);
- (22) Retail shopping establishment;
- (23) School;
- (24) Second hand store;
- (25) Tattoo parlor;
- (26) Tavern.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2017.
APPROVED

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 04/24/17
Second Consideration: 05/08/17
Public Hearing: _____
Third Consideration: _____

Council Communication

Department: City Clerk

Case/Project No.: Case #ZT-17-003

Ordinance 6293

Council Action: 5/8/2017

Submitted by: Rose E. Brown,
Planning Coordinator

Description

Ordinance to amend Chapter 15.17 C-4/Commercial District, by amending Section 15.17.020 "Principal Uses" to include "Tattoo Parlor" (Zoning Ordinance)

Background/Discussion

Subject/Title

CASE #ZT-17-002: Public hearing on the request of the Community Development Department to:

- Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
- Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Background

The Community Development Department is requesting a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) to:

- Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
- Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Tattoo parlors are currently allowed as principle use in the C-2 Commercial District and are not allowed as a conditional use permit in any zoning district.

The Community Development Department receives inquiries sporadically about allowing tattoo parlors in the downtown area primarily on properties zoned C-4. The C-3 Commercial District has been added to this request for discussion, as most property zoned C-3 is also in the downtown area.

All City departments and utility providers received a copy of the proposed text amendment. The Public Works Department, Building Division, Council Bluffs Fire Department, Council Bluffs Water Works and Black Hills Energy stated they have no comments with the proposed amendment.

The Council Bluffs Public Health Department has no objection to the request. Tattoo establishments are licensed by the Iowa Department of Public Health and inspected annually by the Council Bluffs Health Department.

No other comments have been received.

Recommendation

The Community Development Department recommends approval of the proposed text amendment as follows:

1. Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
2. Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

Public Hearing

Speakers in favor:

1. Rose Brown, Planning Coordinator, Community Development, 209 Pearl Street, Council Bluffs, IA 51503

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends approval of the proposed text amendment as follows:

1. Amend §15.16.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-3 Commercial District, Municipal Code (Zoning Ordinance); and
2. Amend §15.17.020 by adding ‘Tattoo parlor’. The requested text amendment would allow for a ‘Tattoo Parlor’ as defined by §15.03.664 as a principle use in a C-4 Commercial District, Municipal Code (Zoning Ordinance).

VOTE: AYE 5 NAY 3 ABSTAIN 0 ABSENT 2 VACANCY: 1 Motion: Carried

ATTACHMENTS:

Description	Type	Upload Date
Code Section	Code Section	4/14/2017
Ordinance	Ordinance	4/14/2017

15.16.020 Principal uses. The following principal uses shall be permitted outright in a C-3 district:

1. Automobile service establishment
2. Business, professional office
3. Business goods and service establishment
4. Club or lodge
5. College or university
6. Commercial recreation (indoor)
7. Consumer service establishment
8. Cultural service
9. Financial service
10. Funeral service
11. General government use
12. Hospital
13. Hotel/motel
14. Mixed commercial/residential structure
15. Newspaper printing
16. Park and recreation service
17. Pawn shop
18. Private parking lot
19. Public parking lot
20. Religious assembly
21. Restaurant (drive-in, limited and general)
22. Retail shopping establishment

- 23. School
- 24. Second hand store
- 25. ~~Tavern (Ord. 6027, Sec. 1, 2/23/09)~~ Tattoo parlor;
- 26. Tavern (Ord. 6027, Sec. 1, 2/23/09)

15.17.020 Principal uses. The following principal uses shall be permitted outright in the C-4 district:

1. Business, professional office
2. Business goods and service establishment
3. Club or lodge
4. College or university
5. Commercial recreation (indoor)
6. Consumer service establishment
7. Cultural service
8. Financial service
9. Funeral service
10. General government use
11. Hotel/motel
12. Mixed commercial/residential structure
13. Park and recreation service
14. Private parking lot
15. Public parking lot
16. Religious assembly
17. Restaurant (limited and general)
18. Retail shopping establishment
19. ~~Tavern~~ Tattoo parlor;
20. Tavern

ORDINANCE NO. 6293

AN ORDINANCE TO AMEND CHAPTER 15.17 C-4/COMMERICAL DISTRICT OF THE 2015 MUNICIPAL CODE (ZONING ORDINANCE) OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.17.020 “PRINCIPLE USES” TO INCLUDE “TATTOO PARLOR”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 15.17 “C-4/Commercial District” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.17.020 “Principle Uses” to include “Tattoo Parlor” by reading as follows:

15.17.020 Principal uses. The following principal uses shall be permitted outright in a C-4 district:

- (1) Automobile service establishment;
- (2) Business, professional office;
- (3) Business goods and service establishment;
- (4) Club or lodge;
- (5) College or university;
- (6) Commercial recreation (indoor);
- (7) Consumer service establishment;
- (8) Cultural service;
- (9) Financial service;
- (10) Funeral service;
- (11) General government use;
- (12) Hospital;
- (13) Hotel/motel;
- (14) Mixed commercial/residential structure;
- (15) Newspaper printing;
- (16) Park and recreation service;
- (17) Pawn shop;
- (18) Private parking lot;
- (19) Public parking lot;
- (20) Religious assembly;
- (21) Restaurant (drive-in, limited and general);
- (22) Retail shopping establishment;
- (23) School;
- (24) Second hand store;
- (25) Tattoo parlor;
- (26) Tavern.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2017.
APPROVED

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 04/24/17
Second Consideration: 05/08/17
Public Hearing: _____
Third Consideration: _____

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Legal Department

Ordinance 6294

Council Action: 5/8/2017

Description

Ordinance to amend Title 9 "Traffic", by amending Chapter 9.72.325 entitled "Safety belts and safety harnesses"

Background/Discussion

This ordinance is being amended to reflect current Iowa Code Section 321.445

Recommendation

Approval of this Ordinance.

ATTACHMENTS:

Description	Type	Upload Date
Iowa Code 321.445	Other	4/28/2017
Redline Changes	Other	4/28/2017
Ordinance 6294	Ordinance	5/2/2017

321.445 Safety belts and safety harnesses — use required.

1. Except for motorcycles or motorized bicycles, 1966 model year or newer motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses which conform with federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. §571.209 – 571.210 and with prior federal motor vehicle safety standards for seat belt assemblies and seat belt assembly anchorages applicable for the motor vehicle's model year.

2. *a.* The driver and front seat occupants of a type of motor vehicle that is subject to registration in Iowa, except a motorcycle or a motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this state except that a child under eighteen years of age shall be secured as required under **section 321.446**.

b. **This subsection** does not apply to:

(1) The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses.

(2) The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five miles per hour between stops.

(3) The driver of a motor vehicle while performing duties as a rural letter carrier for the United States postal service. This exemption applies only between the first delivery point after leaving the post office and the last delivery point before returning to the post office.

(4) Passengers on a bus.

(5) A person possessing a written certification from a health care provider licensed under **chapter 148** or **151** on a form provided by the department that the person is unable to wear a safety belt or safety harness due to physical or medical reasons. The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve months, at which time a new certification may be issued unless the certifying health care provider is from a United States military facility, in which case the certificate may specify a longer period of time or a permanent exemption.

(6) Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle.

c. The department, in cooperation with the department of public safety and the department of education, shall establish educational programs to foster compliance with the safety belt and safety harness usage requirements of **this subsection**.

3. The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under **subsection 2**. However, the driver shall not be charged for a violation committed by a passenger who is fourteen years of age or older unless the passenger is unable to properly fasten a seat belt due to a temporary or permanent disability. The owner of the motor vehicle may be charged for equipment violations under **subsection 1**.

4. *a.* The nonuse of a safety belt or safety harness by a person is not admissible or material as evidence in a civil action brought for damages in a cause of action arising prior to July 1, 1986.

b. In a cause of action arising on or after July 1, 1986, brought to recover damages arising out of the ownership or operation of a motor vehicle, the failure to wear a safety belt or safety harness in violation of **this section** shall not be considered evidence of comparative fault under **section 668.3, subsection 1**. However, except as provided in **section 321.446, subsection 6**, the failure to wear a safety belt or safety harness in violation of **this section** may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt or safety harness in violation of **this section** must first introduce substantial evidence that the failure to wear a safety belt or safety harness contributed to the injury or injuries claimed by the plaintiff.

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt or safety harness in violation of **this section** contributed to the plaintiff's claimed injury or injuries, and may reduce the amount of plaintiff's recovery by an amount not to exceed five percent of the damages awarded after any reductions for comparative fault.

5. The department shall adopt rules pursuant to **chapter 17A** providing exceptions from application of **subsections 1 and 2** for front seats and front seat passengers of motor vehicles owned, leased, rented, or primarily used by persons with disabilities who use collapsible wheelchairs.

[C66, 71, 73, 75, 77, 79, 81, §321.445]

84 Acts, ch 1016, §3; 86 Acts, ch 1009, §2; 86 Acts, ch 1211, §43; 87 Acts, ch 120, §5; 92 Acts, ch 1175, §37; 96 Acts, ch 1129, §79; 97 Acts, ch 104, §21; 97 Acts, ch 108, §26; 98 Acts, ch 1080, §6, 7; 2002 Acts, ch 1119, §50; 2004 Acts, ch 1113, §1; 2008 Acts, ch 1088, §122; 2010 Acts, ch 1061, §180; 2010 Acts, ch 1079, §10; 2010 Acts, ch 1186, §6, 7

Referred to in §321.210, 321.446, 321.555, 805.8A(14)(c)

For applicable scheduled lines, see §805.8A, subsection 14, paragraph c

9.72.325 - Safety belts and safety harnesses.

(a) Except for motorcycles or motorized bicycles, 1966 model year or newer, motor vehicles subject to registration, in the place of residence of such owner of the motor vehicle, shall be equipped with safety belts and safety harnesses which conform with federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. §571.210 and with prior federal motor vehicle safety standards for seat belt assemblies and seat belt assembly anchorages applicable for the motor vehicle's model year. ▼

Deleted: of a type and installed in a manner approved by the Iowa Department of Transportation.

(b) The driver and front seat occupants of a type of motor vehicle subject to registration in the place of residence of such owner of the motor vehicle, except a motorcycle or motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this city, except that a child under eighteen years of age shall be secured as required under Section 9.72.326. This subsection does not apply to:

Deleted: six years of age shall be secured as required under

(1) The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses; ▼

Deleted: under rules adopted by the Iowa Department of Transportation

(2) The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five (25) miles per hour between stops; ▼

Deleted: exit from and

(3) The driver of a motor vehicle while performing duties as a letter carrier for the United States Postal Service. This exemption applies only between the first delivery point after leaving the post office and the last delivery point before returning to the post office;

(4) Passengers on a bus;

(5) A person possessing a written certification from a physician on a form provided by the State Department of Transportation that the person is unable to wear a safety belt or safety harness due to a physical or medical reason(s). The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve (12) months, at which time a new certification may be issued;

(6) Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle.

(c) The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection (b) of this section. However, the driver shall not be charged for a violation committed by a passenger who is fourteen years of age or older unless the passenger is unable to properly fasten a seat belt due to a temporary or permanent disability. The owner of the motor vehicle may be charged for the equipment violation under subsection (a) of this section.

Deleted: -

(d) A person who violates any of the provisions of this section is guilty of a misdemeanor and subject to a fine as scheduled by Chapter 805 of the Iowa Code.

ORDINANCE NO. 6294

AN ORDINANCE TO AMEND TITLE 9 “TRAFFIC” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING “CHAPTER 9.72.325 – SAFETY BELTS AND SAFETY HARNESSSES”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Title 9 “Traffic” of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended “Chapter 9.72.325 – Safety Belts and Safety Harnesses” to read as follows:

CHAPTER 9.72.325 – Safety belts and safety harnesses.

(a) Except for motorcycles or motorized bicycles, 1966 model year or newer, motor vehicles subject to registration, in the place of residence of such owner of the motor vehicle, shall be equipped with safety belts and safety harnesses which conform with federal motor vehicle safety standard numbers 209 and 210 as published in 49 C.F.R. §571.210 and with prior federal motor vehicle safety standards for seat belt assemblies and seat belt assembly anchorages applicable for the motor vehicle’s model year.

(b) The driver and front seat occupants of a type of motor vehicle subject to registration in the place of residence of such owner of the motor vehicle, except a motorcycle or motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in this city, except that a child under eighteen years of age shall be secured as required under Section 9.72.326. This subsection does not apply to:

(1) The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses;

(2) The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five (25) miles per hour between stops;

(3) The driver of a motor vehicle while performing duties as a letter carrier for the United States Postal Service. This exemption applies only between the first delivery point after leaving the post office and the last delivery point before returning to the post office;

(4) Passengers on a bus;

(5) A person possessing a written certification from a physician on a form provided by the State Department of Transportation that the person is unable to wear a safety belt or safety harness due to a physical or medical reason(s). The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve (12) months, at which time a new certification may be issued;

(6) Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However, this exemption does not apply to the driver of the authorized emergency vehicle.

(c) The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection (b) of this section. However, the driver shall not be charged for a violation committed by a passenger who is fourteen years of age or older unless the passenger is unable to properly fasten a seat belt due to a temporary or permanent disability. The owner of the motor vehicle may be charged for the equipment violation under subsection (a) of this section.

(d) A person who violates any of the provisions of this section is guilty of a misdemeanor and subject to a fine as scheduled by Chapter 805 of the Iowa Code.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND _____, 2017.
APPROVED

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 5-8-17

Second Consideration: _____

Public Hearing: _____

Third Consideration: _____

Council Communication

Department: City Clerk
Case/Project No.: URV-17-004
Submitted by: Brenda Carrico

Ordinance 6289

Council Action: 5/8/2017

Description

Ordinance establishing the Valley View Urban Revitalization area within the City of Council Bluffs

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area.

Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

Discussion

A development proposal has been submitted by Presbyterian Homes Housing and Assisted Living, Inc. on behalf of PHS Council Bluffs Senior Housing, LLC for the construction of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled care and a “Town Center” with supportive and amenity space for all residents.

The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 72 care center beds for a total of 150 units. Future phases may include additional independent living apartments and brownstone apartments.

A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

The entire project is expected to cost over \$38 million. Once all components of the project are completed, the equivalent of 95 full time positions will be created. These positions will range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs.

Iowa Code permits the City to establish urban revitalization areas, which satisfy one of the five conditions outlined in Section 404.1. Staff believes a finding would be consistent under 404.1.4. Section 404.1.4 discusses an area, which is appropriate as an economic development area as defined in section 403.17.

Discussions are ongoing with the Assessor as to the nature of the assessment for the various components of the project.

On February 27, 2017, City Council approved Resolution 17-48 which directed staff to initiate the process of creating the Valley View Urban Revitalization Plan and Area. This resolution set April 10, 2017 as the date of the public hearing.

This matter was brought before the City Planning Commission at their March 14, 2017 meeting. The Commission found the following: 1) That the proposed Valley View Urban Revitalization Plan furthers the goals of the City's Bluffs Tomorrow: 2030 Plan which is the general plan for the development of the City of Council Bluffs; and 2) That the Valley View Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.4.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

Recommendation

Staff Recommendation

The Community Development Department recommends approval of the Valley View Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Public Hearing

Pamela Belz, Project Developer, Senior Housing Partners
Rose Brown, Community Development Department.
No one appeared in opposition.

Planning Commission Recommendation

The Planning Commission recommends approval of the Valley View Urban Revitalization Plan and Area.

VOTE: AYE 8 NAY 0 ABSTAIN 0 ABSENT 2 VACANCY 1 Motion: Carried

ATTACHMENTS:

Description	Type	Upload Date
UR Plan	Other	4/3/2017
Ordinance	Ordinance	4/14/2017

Valley View Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by

City Council on _____, 2017

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INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the construction of commercial facilities providing elderly care and assisted housing in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

The City of Council Bluffs concluded that the Valley View Urban Revitalization Area meets the criteria of element 4. Consequently, on February 27, 2017, the City Council adopted Resolution No. 17-48, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Valley View Urban Revitalization Plan
Illustration 1 – Resolution

RESOLUTION NO. 17-48

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH AN URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 3 OF AGRI-NEW HORIZON SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a multi-residential project on the vacant land; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by March 6, 2017.

BE IT FURTHER RESOLVED


That the City Council directs the City Clerk to set this matter for public hearing on April 10, 2017.

**ADOPTED
AND
APPROVED:**

February 27, 2017


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush Deputy City Clerk

LEGAL DESCRIPTION

The Valley View Urban Revitalization Area is a tract of land containing the following legally described parcels:

Lot 3 of New Horizon Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the location and the boundary of the Valley View Urban Revitalization Area. The area is 17.49 acres.

Valley View Urban Revitalization Plan

Illustration 2 - Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Valley View Urban Revitalization Area will be comprised 17.49 acres of land owned by Presbyterian Homes Housing and Assisted Living, Inc. Lot 3 of New Horizon Subdivision includes parcel 754328300001. Land valuation for the new subdivision was not complete at the time of the plan completion and is estimated to be \$45,654. Estimated value is based on per acre land value for each parcel. This information was obtained from the records of the Pottawattamie County Assessor.

Parcel Number	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
754328300001	Presbyterian Homes Housing and Assisted Living, Inc 2845 Hamline Ave North Roseville, MN 55113	\$4,209*	\$0	\$0	\$4,209

EXISTING ZONING AND PROPOSED LAND USE

The Valley View Urban Revitalization Area is currently zoned R-3/Low Density Multi-Family Residential with a Planned Residential Overlay. The R-3/Low Density Multi-Family District is intended and designed for development of median density multifamily residential units. The Planned Residential Overlay is intended to provide flexibility in the use and design of structures and land in situations where conventional development may be inappropriate. The Overlay also permits projects which involve the mixture of commercial and residential uses.

Surrounding zoning includes R-1 District to the north, R-3 District to the northwest and south, A-2 District to the west and east. Existing land uses abutting the proposed subdivision include undeveloped land to the north and east, College View Elementary School to the northwest, and New Horizons Presbyterian Church to the south. The Bluffs Tomorrow: 2030 Future Land Use Plan designates the subject property as High Density Residential. Illustration 3 depicts the existing on-site and surrounding zoning.

A development proposal has been submitted by Presbyterian Homes Housing and Assisted Living, Inc. on behalf of PHS Council Bluffs Senior Housing, LLC for the construction of a multi-component project that will include independent living, assisted living, assisted living memory care, skilled care and a “Town Center” with supportive and amenity space for all residents.

The unit mix includes 36 independent living apartments (three story building over a one-story parking structure), 24 assisted living units, 18 memory care units and 72 care center beds for a total of 150 units. Future phases may include additional independent living apartments and brownstone apartments.

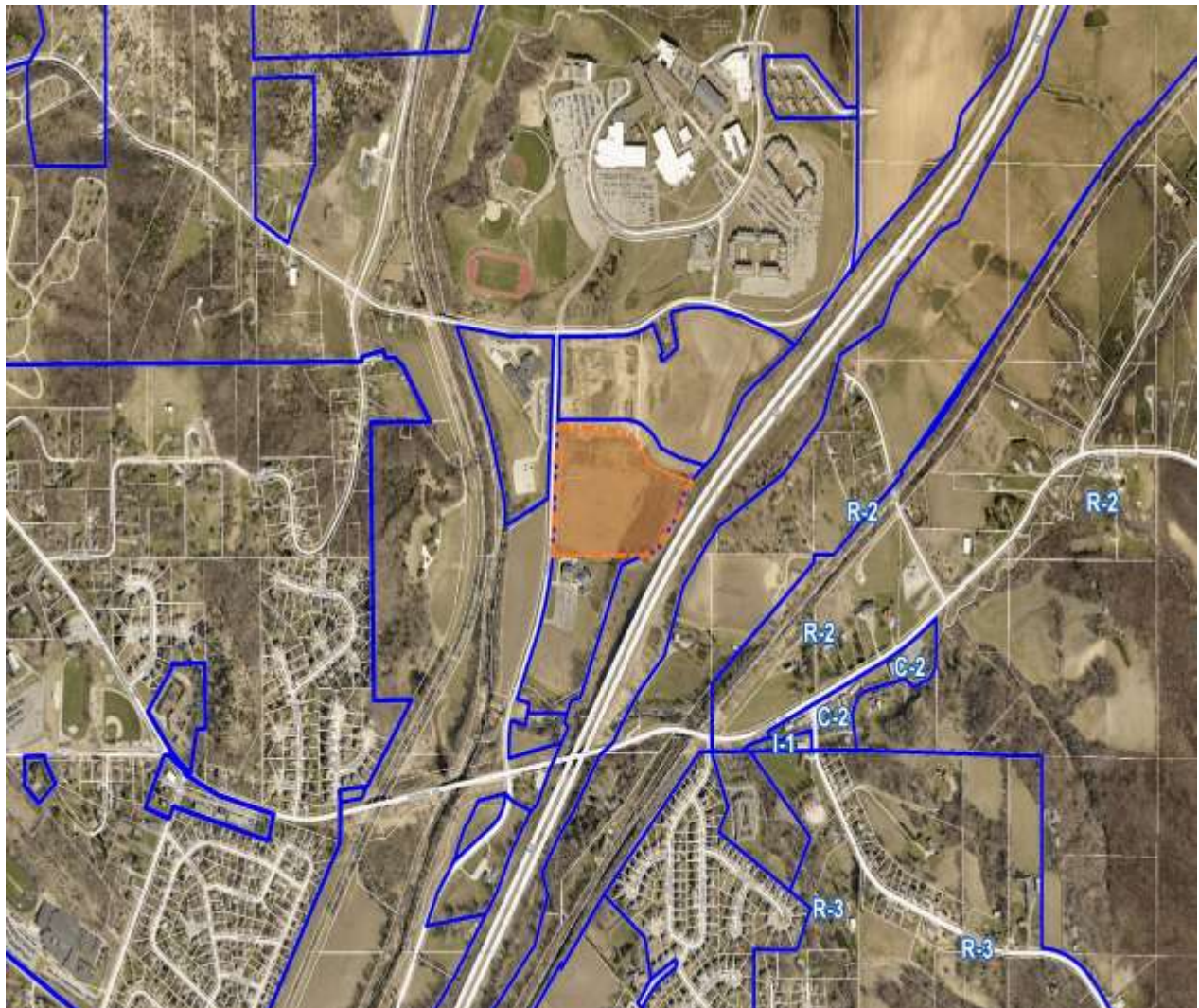
A two story “Town Center” building will connect all of the different project components. It will have approximately 21,000 square feet with an entry lobby, dining areas, bistro, commercial kitchen, community room, salon, wellness and fitness rooms, library and media center, mailroom, administrative offices, conference rooms and a guest suite. Special site and landscaping considerations will be designed to include Porte Cochères at the Town

Center, large windows, outdoor pathways, a water feature and garden. Additionally, connectivity to the New Horizon Church will be featured with a driveway and sidewalk adding synergy for programming and a volunteer base.

The project is designed to provide a full continuum for all levels of care and housing. This will allow residents to stay within the campus and maintain social connections for a stronger connected community.

Upon completion, the project will make an investment of over \$38 million. In addition, once all components of the project are completed the equivalent of 95 full time positions will have been created. These positions range from skilled nursing, administrative, nutrition/culinary, engineering/maintenance, housekeeping/laundry, activity coordinators, spiritual care, wellness, resident services and clinical care workers such as home health aides/CNAs. A more complete breakdown can be found in Attachment B. A full description of the project can be found in Attachment C.

Valley View Urban Revitalization Plan
Illustration 3 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Valley View Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located adjacent to Valley View Drive which is adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The Valley View Urban Revitalization area is currently undeveloped; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

Along with the exemption of property taxes, the developer has also applied to the Pottawattamie County Assessor for exemption of certain components of the project. The developer has also submitted an application to the Assessor for consideration of property tax sales exemption based upon Iowa Code Section 427.1(8) for all elements of the project. It is not clear which components of the project will be awarded an exempt status based on the Assessor's final determination.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Valley View Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2035 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.

- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.
- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- For residential property, the improvement must increase the actual value of the structure by at least 10%.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A

7543 28 300 001

--- Permanent Property Address ---
PRESBYTERIAN HOMES HOUSING & ASSISTED
LIVING INC

----- Mailing Address -----
PRESBYTERIAN HOMES HOUSING &
ASSISTED LIVING INC
2845 HAMLINE AVE NORTH
ROSEVILLE, MN 55113

=====
District: 001 CO BLUFFS AG/CO BLUFFS SC

===== REAL ESTATE TAX =====

Click [here](#) for treasurer real estate tax information.

===== LEGAL DESCRIPTION =====

CO BLUFFS AGRI-NEW HORIZON SUB LT 3

===== ASSESSED VALUE =====

land	dwelling	land	building	total	ag acres	year	class
\$45,654	\$0		\$0	\$45,654	17.490	2015	A
\$45,654	\$0		\$0	\$45,654	17.490	2016	A

===== OWNERS =====

1 D PRESBYTERIAN HOMES HOUSING & A book/page: [2015/14370](#) D

===== EXEMPTIONS & CREDITS =====

2015 AGLAND \$39.36

===== ASSESSMENT DATA =====

PDF: 3 MAP: 8

Sale Date	Amount	Code	Book/Page
06/12/2006	0	D049	107/02289 multiple parcel sale

Interior Listing: Vacant RLD Date Listed: 08/23/2006 RLD Date Reviewed: 08/23/2006

LAND.....761864 sqFt 17.49 acres



2400ft x 2400ft

PHS Council Bluff Senior Housing

Estimated Staffing Schedule

Department	Position	Average Rate	Stabilized Weekly Hours
Skilled Nursing	Per Patient Day		
	All LTC Care Center Clinical Staffing	4.00 \$ 19.25	2016
Nutrition/Culinary			
	Executive Chef		40
	Dietician		4
	Cook I		150
	Dishwasher		0
	Server		371
Total Nutrition/Culinary		\$ 14.43	565.0
Engineering			
	Maintenance Director		40
	Maintenance II		40
	Maintenance/Driver/Security		20
Total Engineering		\$ 19.60	100
Housekeeping/Laundry			
	Supervisor Housekeeper		40
	Housekeeper I		120
	Laundry		40
Total Housekeeping and Laundry		\$ 13.70	200
Activities			
	Life Enrichment Director		40
	Activity Assistant		20
Total Activities		\$ 18.33	60
Spiritual Care			
	Chaplain		20
Total Spiritual Care		\$ 25.00	20
Wellness			
	Wellness Director		20
Total Wellness		\$ 25.00	20
Administration			
	Campus Administrator		40
	Receptionist		94
	HR Representative/ Office Mgr		40
Total Administration		\$ 23.81	174
Marketing/Admissions			
	Housing Advisor		20
Total Marketing/Admissions		\$ 22.00	20
Resident Services			
	CC Admissions/Social Wk		40
	Resident Services housing		40
Total Resident Services		\$ 22.50	80
Clinical Care			
	Clinical Administrator		40
	Staffing Coordinator		24
	LPN		20
	Home Health Aide/C.N.A.		460
Total Clinical		\$ 16.36	544
Total			3799
Full Time Equivalents			96.0
Estimated Annual Payroll excluding benefits - \$			3,666,109

Project Information

Applicant: Presbyterian Homes Housing and Assisted Living Services (PHHAL)
Senior Housing Partners (SHP)

Project Name: PHS Council Bluffs Senior Housing
Project Address: XXXX Valley View Drive, Council Bluffs, IA 51503

Ownership:

The project will be a partnership between Presbyterian Homes Housing and Assisted Living, Inc. (PHHAL) and Covington Senior Living. It would include transfer of 72 nursing home bed licenses from the McPherson Care Center to the new campus. PHHAL will be the manager and operator of the campus.

Senior Housing Partners, a subsidiary of Presbyterian Homes and Services (PHS), will be leading the project development from planning and entitlements through construction and installation of furnishings, staff training and start up and resident occupancy. Senior Lifestyle Design (SLD), also a subsidiary of PHS, will provide interior design. SHP Marketing will be handling marketing.

Community Program Outline: Independent Living, Assisted Living, Assisted Living Memory Care, Care Center including a Memory Care neighborhood, and a Town Center.

Project Location:

The project will be located east of downtown Council Bluffs, on Valley View Drive, just south of Iowa Western Community College and north of New Horizon Presbyterian Church. It is located on 17 acres of land currently owned by PHHAL.

To reflect its rolling prairie environs, and differentiate itself from other senior communities, the project is proposed to evoke prairie style architecture. The community is to have a welcoming, landscaped entrance. Upon entry, residents and guests should be able to see through the building to a landscaped gathering space that brings nature in.

Vision + Objectives

- **Motto:** Creating smiles in the eyes of the people we serve
- **Mission:** to enrich the lives and touch the hearts of older adults
- **Vision:** to provide more choices and opportunities for older adults to live well
- **Objectives:**
 - Meet the housing needs of the Council Bluffs community
 - Connectivity between the housing types to build community identity
 - Provide choices of dining venues and menu options
 - Create inviting outdoor spaces
 - Bring nature indoors through thoughtful design
 - Build in an architectural style that befits the site and surroundings
 - Exercise good stewardship of resources and operational integrity

Development Summary

The development of this campus is on 17.5 acres purchased from New Horizon Presbyterian Church our neighbor to the south. The adjacency of the church will provide synergy for programming, provide a volunteer base and nearby housing option as members of their congregation age. The site plan reflects this important connection with a driveway between the church and campus as well as a sidewalk for ease of movements. Market analysis shows a demand for all types of senior housing with the most need in skilled care center. Planning for this project has been ongoing for some time as SHP/PHS evaluates the best mix of housing types, architectural style, program needs and offerings, affordability of rents and future growth needs.

The campus is proposed a Full Continuum, which offers all levels of care and housing from independent living to skilled care center. This allows residents to stay within the campus and maintain connections with their friends and the staff members that they have come to know. It creates ease for spouses to visit should one need a higher level of care whether temporary or permanent. The full continuum campus approach creates a strong connected community.

Following our motto of “Freedom to live well” the campus will offer open restaurant style dining hours, many choices and the ability to provide “cook to order” options. A bistro venue offers snacks, sandwiches and soups in casual setting. The clubroom, library, media room provide opportunities for social interaction. The central Hearth room and Community Rooms offer campus wide gathering spaces for special events and programs as well as a chapel for services of varied denominations. The PHS trademarked Wings Wellness center provides cardio and weight equipment for strength and cardio fitness and a Wellness Studio for group classes such as yoga, balance and stretching. This program keeps residents healthier and reduces risk for falls. A space for programming various activities provides a welcoming setting for interaction and education and fun. The memory care assisted living floor will include dining, living and activity spaces as well as an outdoor secured garden. Memory care will also be offered in the skilled care center and will include similar spaces. The care center is set up in neighborhoods so residents can feel a home setting with living rooms, family space with staff nearby and involved. The outdoor feature areas will provide experiences with color, scents and water sounds, which will be soothing to enjoy whether moving through or observing from a window. Prairie plantings will create seasonal changes and attract birds and butterflies that are interesting to observe. Parking will be at surface parking conveniently located close to entries with garage parking for the independent residents.

The soils on this site will require compaction through a surcharge. The surcharge can be placed upon completion of grading when the building pads are at final elevations. The surcharge period is expected to take 8-12 weeks. Once settlement is complete then project construction can begin in earnest.

Construction of Phase 1 is anticipated to be completed in 15 months. Further information on Project Components and Unit Mix follow.

Project Component Mix

	Units	Future Units	
IL Independent Living Apts.	36	36	
AL Assisted Living	24		
MC Memory Care	18		
CC Care Center Suites	68 (72 beds)		
BN Brownstone Apts.	0	24	
TOTAL	146 Current Phase	60 Future Phase	206 Total

Project Components

Town Center

The Town Center consists of approximately 21,000 square feet of program space located on two levels. Program areas include entry lobby with view through to exterior, dining areas, bistro, commercial kitchen serving the entire campus, community room, salon, Wings Wellness and Fitness, Independent club room, library, media, mail room, administrative offices, conference rooms, a guest suite, and all back of house service and receiving spaces.

Living Units

Independent Living (IL):

- Approximately 36 apartments and lobby are to be located in a three-story stick-framed configuration over one-story of structured parking. Each apartment has washer & dryer and balcony. Additional storage space is available for a fee.

Assisted Living (AL) and Memory Care (MC):

- 24 AL units are located on the second level of a two-story stick-framed configuration. Dining and activity spaces are located adjacent in town center.
- 18 MC units are located on the first level containing dining, living, activity and secured outdoor space within the neighborhood.
- Surface Parking shall be integrated with the landscaping.

Care Center (CC)

- 72 Care Center beds are to be located within a two-story light gauge steel at grade building. The Care Center will be arranged in four neighborhoods, each containing program spaces including but not limited to activity, living room with fireplace, dining rooms, laundry, bathing 'spa' room, support rooms, nurse's station and a Physical Therapy/Occupational Therapy Suite. The CC will also contain an administrative suite, conference rooms, a reception area, and elevator lobby with adjacent lounges and parlor.

Future Phase

- A Future Phase of approximately 36 IL apartments are master planned for the site and will connect to the Phase 1 building. This will also be three levels of living units over one level of parking garage above grade (matching Phase 1 IL wing). There will also be a 24 Unit Brownstone building that is separate from the main facility to the south. This will be two levels of units over one level of parking garage above grade.
- The Future Phase will be acknowledged during project approvals for density purposes.

Site + Landscape Design

- Porte Cocheres /Main front door at Town Center, Secondary front door at Care Center
- Bring nature elements and natural daylight in through large windows.
- Outdoor Pathways, Water Feature, and Gardens are important elements of wellness.
- MC Center + Garden – planters, planting & hardscape, furnishings, material selection
- Service Courtyard –isolate service activities as much as possible
- Site Master Plan – site layout contemplates future phases, circulation for residents, families, emergency responders provided, connection to New Horizon Church included. Plantings of prairie representing native setting are interspersed throughout.

Unit Mix

IL								
Unit Name	Unit type	Lv 1	Lv 2	Lv 3	Lv 4	Subtotal	Total	Area
One Bedroom	B1	0	3	3	3	9	9	728 SF
One Bedroom	B2	0	1	1	1	3	3	765 SF
One Bedroom+Den	C1	0	1	1	1	3		863 SF
One Bedroom+Den	C2	0	2	2	2	6	12	865 SF
One Bedroom+Den	C3	0	1	1	1	3		942 SF
Two Bedroom	D1	0	1	1	1	3		1060 SF
Two Bedroom	D2	0	1	1	1	3	12	1087 SF
Two Bedroom+Sunroom	E1	0	2	2	2	6		1274 SF
Total		0	12	12	12	36	36	

MC/AL								
Unit Name	Unit type	MC Lv 1	AL Lv 2			Sub Total	Total	Area
Studio	F1	6	8			14	14	436 SF
One Bedroom	G1	8	10			18		585 SF
One Bedroom End Unit	G2	3	3			6	24	638 SF
One Bedroom+Den	H1	0	2			2	2	675 SF
Two Bedroom	I1a, I1b	1	1			2	2	916 SF
Total		18	24			42	42	

CC								
Unit Name	Unit type	Lv 1	Lv 2			Sub Total	Total	Area
Single	J1	32	32			64	64	330 SF
Double	K1	2	2			4	4	576 SF
Total		34	34			68	68	

Grand Total		52	70	12	12	146	146	
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Future Phase								
Unit Name		Lv 1	Lv 2	Lv 3	Lv 4		Total	
IL One Bedroom		0	9	9	9		27	
IL Two Bedroom		0	3	3	3		9	
Total		0	12	12	12		36	
BN One Bedroom		0	3	3	0		6	
BN Two Bedroom		0	9	9	0		18	
Total		0	12	12	0		24	

Team

DEVELOPER: SENIOR HOUSING PARTNERS

Pamela Belz, Project Developer

3116 Fairview Ave North, Roseville MN 55113

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ORDINANCE NO. 6289

AN ORDINANCE ESTABLISHING THE VALLEY VIEW URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

- WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the “Valley View Urban Revitalization Area;” and
- WHEREAS,** the City of Council Bluffs is contemplating exercising said authority by designating an area legally described as Lot 3, New Horizon Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, as an urban revitalization area, thus allowing tax abatement for qualified projects; and
- WHEREAS,** this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Sections 404.1(4) of the Iowa Code; and
- WHEREAS,** on February 27, 2017, the City Council passed a Resolution of Necessity and Intent to establish an urban revitalization area for the Valley View Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for April 10, 2017; and
- WHEREAS,** the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and
- WHEREAS,** at its March 14, 2017, meeting, the City Planning Commission reviewed the plan for the Valley View Urban Revitalization Area and has forwarded its recommendation to this City Council.

**NOW, THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That the urban revitalization plan for the Valley View Urban Revitalization Area, known as the "Valley View Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

SECTION 2. That the proposed Valley View Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

SECTION 3. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND
APPROVED

April 24, 2017

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

PUBLIC HEARING: April 24, 2017

FIRST CONSIDERATION: April 10, 2017

SECOND CONSIDERATION: April 24, 2017

THIRD CONSIDERATION: WAIVED

Council Communication

Department: Public Works Admin
Case/Project No.: PW17-11
Submitted by: Matthew Cox, City
Engineer

Resolution 17-97

Council Action: 5/8/2017

Description

Resolution approving the Plans, Specifications, Form of Contract and Cost Estimate for the Gifford Road Reconstruction, Phase II and S. 19th Street Extension Project #PW17-11

Background/Discussion

- Gifford Road from Veterans Memorial Highway to 45th Avenue was previously reconstructed with RISE grant funding. The project was identified as FY15-24 in the CIP.
- To accommodate the new road and future economic development of this area, a new storm sewer outfall to Indian Creek was constructed. The project was identified as FY16-08 in the CIP.
- The City in coordination with the Council Bluffs Industrial Foundation submitted and received a RISE award for the reconstruction of approximately 710 feet of Gifford Road and 1,880 feet of S. 19th Street. In addition to the road construction, sanitary sewer will be extended along Gifford Road and both water and sanitary sewer will be extended along S. 19th Street. Completion of this project will provide access to tracts of land targeted for industrial development.
- The Industrial Foundation has agreed to pay for the utility extensions, which have an estimated cost of \$958,375. The RISE grant pays 50% of the eligible project costs for the roadwork resulting in the City paying \$957,374 for the 50% match. Based on the initial estimate of \$2,873,123, the project costs will be divided into thirds with the City, Industrial Foundation, and IDOT each contributing nearly the same amount.
- This project was included in the FY17 CIP and has a revised budget of \$1,000,000 in Road Use Tax Funds.
- The project schedule is as follows:

Hold Public Hearing	May 8, 2017
Bid Letting	June 1, 2017
Award	June 12, 2017
Construction Start	July 2017

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-97	Resolution	5/3/2017

RESOLUTION
NO 17-97

**RESOLUTION APPROVING THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
GIFFORD ROAD RECONSTRUCTION, PHASE II &
SOUTH 19TH STREET EXTENSION
PROJECT #PW17-11**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Gifford Road Reconstruction, Phase II and S. 19th Street Extension; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on May 8, 2017.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate are hereby approved for the Gifford Road Reconstruction, Phase II and S. 19th Street Extension project and the City Clerk is hereby authorized to advertise for bids for said project.

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: City Clerk
Case/Project No.: FY17-48
Submitted by: Timothy Carmody,
Police Chief

Resolution 17-98

Council Action: 5/8/2017

Description

Resolution awarding the contract to Grunwald Mechanical for the Southwest Iowa Law Enforcement Training Center Roof Top Unit Replacement Project

Background/Discussion

The Southwest Iowa Law Enforcement Training Center was commissioned in June of 2006. The heating, ventilation and air conditioning provided by the roof top units were oversized based on the anticipated occupancy when the building was designed. Because of this equipment being oversized and not functioning efficiently architectural features like ceiling tile have become saturated due to high humidity levels causing them to fail.

Occupants of the building experience the same extremely high humidity levels during the air conditioning season which is not conducive to the classroom learning or training experience which occurs their daily.

There have been several attempts to mechanically rectify this situation over the years with no success. An engineering firm was hired and the recommendation was to replace equipment before any further damages occurred at this facility.

Plans, specifications and form of contract were formally bid and on April 26, 2017 at 10:00 am the City Purchasing Officer received bids for the Southwest Law Enforcement Roof Top Unit Replacement Project.

Bids Submitted:

Grunwald Mechanical - \$79,969

Ray Martin Company - \$88,900

Rasmussen Mechanical - \$94,438

Aire Serv - \$102,876

Mechanical Systems - \$108,475

Funding for this project will come from: Police Administration Capital Equipment and the Pottawattamie County Sheriff's Office.

Recommendation

I recommend that the City Council adopt the resolution awarding the contract to Grunwald Mechanical who submitted the low bid of \$79,969 for the Southwest Iowa Law Enforcement Roof Top Unit Replacement Project.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/1/2017

RESOLUTION NO. 17-

A RESOLUTION ACCEPTING THE BID OF GRUNDWALD MECHANICAL IN CONNECTION WITH THE REPAIR/REPLACEMENT OF THE HVAC SYSTEM AT THE SOUTHWEST IOWA TRAINING CENTER.

- WHEREAS,** Grundwald Mechanical submitted the lowest bid and met all of the criteria to be awarded this contract.
- WHEREAS,** such improvements are required to repair/replace old and faulty HVAC equipment which will improve efficiencies and moisture control at the facility.
- WHEREAS,** the project will be paid with funds from the Council Bluffs Police Department and the Pottawattamie County Sheriff's Office.
- WHEREAS,** the project is scheduled to completed June 17-24, 2017

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the bid from Grundwald Mechanical be accepted for the HVAC repair at the Southwest Iowa Training Center.

BE IT FURTHER RESOLVED

That the cost for this project will be \$79,969 and was the lowest bid submitted for this project.

ADOPTED
AND
APPROVED

May 8, 2017

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Jon Finnegan,
Director of HR

Resolution 17-99

Council Action: 5/8/2017

Description

Resolution approving a wage increase of non-union employees for July 1, 2017 through June 30, 2018

Background/Discussion

This year, it is my recommendation that non-union employees receive a 2.5% increase on 7-1-2017. Market data indicates increases in the marketplace in 2017 will be around 3% (see attached articles). Another factor to consider is the wage increases for the majority of our union employees is scheduled for 2.5%, except for those covered by the CWA, whose increase will be 2%. For the 2018 fiscal year budget, we budgeted for 2.5% for non-union employees, so this recommendation will have no additional cost above what was budgeted.

Recommendation

Approval of this one year increase is recommended. I have prepared a resolution that will effectuate these changes.

ATTACHMENTS:

Description	Type	Upload Date
Market data Report	Other	5/1/2017
Resolution 17-99	Resolution	5/3/2017

Willis Towers Watson

Press Release ([https://www.willistowerswatson.com/en/press#sort=%40fdisplayz45xdate47442%20descending&f:@twcontenttypesubl_coveofacets_0=\[Press%20Release\]](https://www.willistowerswatson.com/en/press#sort=%40fdisplayz45xdate47442%20descending&f:@twcontenttypesubl_coveofacets_0=[Press%20Release]))

U.S. companies holding the line on pay raises for 2017, Willis Towers Watson survey finds

Star performers rewarded with significantly larger raises

August 24, 2016

| United States

ARLINGTON, VA, August 24, 2016 – Pay raises for U.S. employees are expected to hold steady at 3% in 2017, according to a survey by Willis Towers Watson (NASDAQ: WLTW), a leading global advisory, broking and solutions company. The survey of 967 U.S. companies also found that employers continue to reward their best performers with significantly larger pay raises as they look for ways to keep their top talent and strengthen their pay-for-performance cultures.

The survey, conducted by Willis Towers Watson Data Services, found that virtually all respondents (98%) are planning to give employees raises next year, with salaries for exempt (i.e., professional) nonmanagement employees to increase 3.0%. That's the same increase they received in each of the past three years. Employers are also planning 3.0% average salary increases for management and nonexempt employees. Executives can expect slightly larger raises – 3.1% in 2017, although those are smaller than the average increase executives received this year and in 2015.

“Given the continued low rates of inflation and the ongoing pressure on profit margins, employers remain cautious when it comes to budgeting salary increases,” said Laura Sejen, managing director, Rewards, at Willis Towers Watson. “While most companies are feeling little pressure to increase budgets relative to what we’ve seen in recent years, many are starting to question how those budgets are spent and whether their conventional approaches to salary planning are delivering a good return on that 3% investment. In fact, some employers are challenging the use of the annual cycle, while others are changing the criteria for determining the amount of individual increases.”

According to the survey, exempt employees who received the highest performance ratings were granted an average salary increase of 4.6% this year, about 77% larger than the 2.6% increase given to employees receiving an average rating. Companies gave salary increases of less than 1.0% to workers with below-average performance ratings.

The survey also found that annual performance bonuses, which are generally tied to company and employee performance goals, are projected to hold steady or decline slightly in 2017 for most employee groups. Exempt employees are projected to receive bonuses that average 11.6% of salary, roughly the same amount companies budgeted for this year. Conversely, discretionary bonuses, generally paid for special projects or one-time achievements, are projected to increase slightly compared to bonuses awarded last year. Discretionary bonuses for exempt employees are projected to average 5.6% of salary, slightly more than the 5.3% average bonus awarded in 2015.

“Incentives tied to individual and company performance continue to play a greater role in an employee’s total rewards package. Unlike salaries, incentives are variable and give employers much greater discretion in rewarding employees for performing at superior levels. During times when employees have greater opportunities to seek employment elsewhere, employers need to evaluate their total rewards strategies and programs to ensure their top employees don’t take their skills elsewhere,” said Sandra McLellan, North America practice leader, Rewards, at Willis Towers Watson.

About the survey

The Willis Towers Watson Data Services Salary Budget Survey was conducted between April and July 2016, and includes responses from 967 companies representing a cross section of industries. The survey report provides data on actual salary budget increase percentages for the past and current year, along with projected increases for the next year.

About Willis Towers Watson

Willis Towers Watson (NASDAQ: WLTW) is a leading global advisory, broking and solutions company that helps clients around the world turn risk into a path for growth. With roots dating to 1828, Willis Towers Watson has 39,000 employees in more than 120 countries. We design and deliver solutions that manage risk, optimize benefits, cultivate talent, and expand the power of capital to protect and strengthen institutions and individuals. Our unique perspective allows us to see the critical intersections between talent, assets and ideas – the dynamic formula that drives business performance. Together, we unlock potential. Learn more at willistowerswatson.com (<https://www.willistowerswatson.com/en>).

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-

Related solutions

- Employee Insights (<https://www.towerswatson.com/en/Services/our-solutions/employee-insights?webSyncID=a7721673-8035-7b3c-21ac-dac588b80a41&sessionGUID=1743498d-938a-ce2c-bd32-79c46c320e01>)
- Global Data Services (<https://www.towerswatson.com/en/Services/our-solutions/global-data-services?webSyncID=a7721673-8035-7b3c-21ac-dac588b80a41&sessionGUID=1743498d-938a-ce2c-bd32-79c46c320e01>)
- Rewards (<https://www.towerswatson.com/en/Services/our-solutions/rewards?webSyncID=a7721673-8035-7b3c-21ac-dac588b80a41&sessionGUID=1743498d-938a-ce2c-bd32-79c46c320e01>)
- Talent Management (<https://www.towerswatson.com/en/Services/our-solutions/talent-management?webSyncID=a7721673-8035-7b3c-21ac-dac588b80a41&sessionGUID=1743498d-938a-ce2c-bd32-79c46c320e01>)



Salary Budgets Expected to Rise 3% in 2017

Limited pay raises reflect modest economic growth, despite a tighter job market

By Stephen Miller, CEBS

Jul 27, 2016

Updated on Sept. 28, 2016.

Based on preliminary salary budget projections for 2017, organizations in the U.S. are planning to boost pay by around 3 percent on average—as they did in 2016.

In July, WorldatWork, an association of total rewards professionals, released top-level results (<https://www.worldatwork.org/adim/pub/2016-2017-top-level-results.pdf>) from its 2016-2017 Salary Budget Survey, which received a total of 5,759 responses from among the group's members, who were asked how much they are planning on increasing base pay throughout their organizations in the upcoming year.

In the table below, the "mean" is the mathematical average while the "median" is the middle value after listing reported budget increases expectations in successive order. Outliers, or extreme values on either the high or low end, have the biggest effect on the mean and less effect on the median.

Total U.S. Salary Budget Increases by Employee Category

Employee Category	Actual 2016 Mean	Actual 2016 Median	Projected 2017 Mean	Projected 2017 Median
Nonexempt hourly nonunion	3.0%	3.0%	3.1%	3.0%
Nonexempt salaried (/ResourcesAndTools/tools-and-samples/hr-qa/Pages/whatisthemeaningofsalaried,nonexemptemployee.aspx)	2.9%	3.0%	3.0%	3.0%
Exempt salaried	3.0%	3.0%	3.1%	3.0%
Officers/executives	3.0%	3.0%	3.1%	3.0%
All	3.0%	3.0%	3.1%	3.0%

Source: WorldatWork 2016-2017 Salary Budget Survey, preliminary findings.

Survey data collected through May 2016.

Aggregated across all Canadian employee categories, regions and industries, the average total salary budget increase is 2.6 percent in 2016, a reduction from the 2.8 percent budgeted in 2015 and short of the 2.9 projected for this year, WorldatWork reports.

Among other recent pay forecasts for the coming year:

- **The Conference Board**, a business membership and research group, published its U.S. Salary Increase Budget forecast for 2017 (<https://www.conference-board.org/publications/publicationdetail.cfm?publicationid=7254>) in July, projecting that median U.S. salary increase budgets for 2017 will be 3 percent, the same as the median increase that the organization has reported for the previous six years. Similar to WorldatWork's forecast, The Conference Board expects this 3 percent salary increase to hold steady across all employment categories (nonexempt hourly, nonexempt salaried, exempt and executive), again equal to actual 2016 increases.
- **ERI Economic Research Institute**, which provides compensation data to private and public organizations, published its preliminary 2017 salary increase projections (<http://downloads.eri.com/pdf/Planning-Global-Compensation-Budgets-for-2017.pdf>) in June. Again, no surprises here: The firm is also forecasting a 3 percent salary increase for the U.S. next year—unchanged from 2016 and 2015. The analysis also foresees U.S. unemployment falling only slightly next year, dropping from 4.9 percent to 4.8 percent.
- **Aon Hewitt**, in its 2016 U.S. Salary Increase Survey (<http://aon.mediaroom.com/news-releases?item=137470>) released in September, projects that base pay is expected to be 3 percent in 2017, up slightly from 2.8 percent in 2016. Spending on variable pay is expected to be 12.8 percent of payroll—unchanged from 2016.
- **The Federal Reserve Bank of Atlanta**, looking at the median percent change in the hourly wage of individuals, pegged year-over-year wage growth (<https://www.frbatlanta.org/chcs/wage-growth-tracker.aspx?panel=1>) as of June 2016 at 3.6 percent. The Atlanta Fed noted that wage growth, while by no means surging, has been accelerating since October 2015 at a pace not seen since January 2009.

Other recent salary budget forecasts for 2017 have been issued by compensation consultancy Korn Ferry Hay Group (<http://www.businesswire.com/news/home/20160804005344/en/What's-3-Percent-Base-Salary-Increases-Forecasted>) (citing a 3 percent median pay increase), consultancy Willis Towers Watson (<http://www.globenewswire.com/news-release/2016/08/24/866587/0/en/U-S-companies-holding-the-line-on-pay-raises-for-2017-Willis-Towers-Watson-survey-finds.html>) (3 percent average salary increases for management and nonexempt employees, while executives can expect 3.1 percent), pay consultancy Empsight (www.shrm.org/http://www.empsight.com/s.nl/it./id.90/.f) (median merit increase budgets of 3 percent across all categories, and 2.8 percent at the 25th percentile) and pay survey data provider BLR (<http://compensation.blr.com/Compensation-news/Compensation/Compensation-Administration/2016-2017-Pay-Budget-Survey-Highlights/>) (finding 2.5 to 3 percent across all employee types).

These forecasts reflect the amount employers expect to be able to increase base pay throughout the organization. Individual salary raises are often based on job performance evaluations (</ResourcesAndTools/hr-topics/compensation/Pages/better-pay-for-performance.aspx>), while salary ranges for job positions may be adjusted based on job market factors (</ResourcesAndTools/hr-topics/compensation/pages/job-leveling.aspx>).

"The 3 percent median pay increase number doesn't necessarily mean that all employees should expect to receive this number, said Chicago-based Tom McMullen, Hay Group's North American total rewards expertise leader, who noted "a reasonable spread of practices across organizations" in findings from Hay Group's U.S PayNet database, with responses from more than 850 U.S. organizations received from March through June 2016.

"Organizations at the 90th percentile consistently indicate a 3.5 percent increase budget across all employee groups, while the 10th percentile is showing 2 percent across all groups," McMullen said. "We typically see top performers in organizations receiving between 1.5X and 2X the median salary increase for employees, So top performing individuals could expect to receive salary increases upwards of 6 to 8 percent."

Conflicting Economic Indicators

There is evidence of a tightening labor market in the U.S., which typically pushes wages higher. As reported by the U.S. Bureau of Labor Statistics (BLS), since the end of the Great Recession in June 2009 the U.S. unemployment rate has fallen from a high of 9.5 percent to 4.9 percent (<http://www.bls.gov/news.release/pdf/empst.pdf>), as of June 2016.

But, as the government recently reported (<http://www.bea.gov/newsreleases/national/gdp/gdpnewsrelease.htm>), U.S. economic growth was only 0.8 percent (revised) in the first quarter of 2016 and 1.2 percent in the second—a slower pace (<http://www.cnn.com/2016/07/29/us-advance-q2-2016-gross-domestic-product.html>) than many economists had expected.

"The economy is only growing annually at 2 percent, so even though unemployment is getting better it's hard to raise prices right now" to produce the increased revenue that could fund higher wages across the board, said Craig Rowley, a Dallas-based senior client partner with Korn Ferry Hay Group.

As to the apparent contradiction of tepid economic growth and a tightening labor market, "keep in mind that part of the drop in the unemployment levels is people dropping out of the labor force," Rowley pointed out. "The participation rate has been at a record low (<http://www.marketwatch.com/story/share-of-americans-in-labor-force-shrinks-to-38-year-low-2015-10-02>)."

Cautious Employers

Another reason for salary increase stagnation: Given the conflicting signs of how strong the U.S. economy is, employers are opting to remain cautious with their pay-budget forecasts, compensation specialists say.

"Despite positive pressures from decreased unemployment and an increase in job openings, ... salary budgets continue to be restrained by ongoing uncertainty in the global economy and low rates of inflation," said Kerry Chou, senior practice leader in compensation at Scottsdale, Ariz.-based WorldatWork. "Organizations are still planning and awarding salary increases but the amount of the increases remains flat and is not changing year over year." In the U.S. in particular, with low inflation, "the demand for larger salary increases just isn't there and low unemployment has not been enough to motivate organizations to increase salary budgets," Chou said, noting that labor market pressures would likely need to come from multiple directions to accelerate wage growth.

"While it is true that the U.S. job market has improved over the past couple of years, it is also true that companies continue to operate in a highly uncertain international environment and with a strong dollar that restrains exporting opportunities," added Matteo Tonello, managing director of corporate leadership at The Conference Board in New York City. "Domestically,

they realize that they may be in the tail end of a 6- or 7-year expansionary phase. Whether or not the prediction of an impending recession turns out to be accurate, controlling fixed costs such as salaries becomes an imperative in such an uncertain marketplace."

Jonas Johnson, senior researcher at Irvine, Calif.-based ERI Economic Research Institute, noted that "right now, folks are reporting lower expected salary increases in 2017 than when they reported expected 2016 increases in 2015" a year ago, based on anticipation that the economy would grow at a faster clip in the latter half of last year.

Johnson said that ERI's compensation budgets report, referenced above, used data from Oct. 1, 2015 through May 31, 2016. He has subsequently analyzed survey responses from Jan. 1 through July 22 that suggests slightly lower 2017 salary budget projections for general employees (2.7 percent) and professionals/executives (2.9 percent), with the caveat that "what folks say they will do and what actually happens" often differs, based on the changing economic outlook.

If economic growth actually does pick up later this year, higher salary budget expectations—followed by higher actual pay increases—may finally follow. Likewise, if the economy stalls and heads into recession, employers would be likely to limit pay increases for next year.

Salary Range Adjustments

With regard to salary ranges, WorldatWork reported average upward salary structure adjustments of 1.9 percent (2.0 percent median) in 2016, which is anticipated for 2017 to average 2.1 percent (2.0 percent median).

Lump-sum base pay awards—an increase in pay made in the form of a single cash payment when, for instance, an employee is at the maximum of his or her salary range—were made by 60 percent of companies for exempt salaried positions in 2016, with an average of 13 percent of all exempt salaried employees receiving lump-sum base pay awards instead of a pay raise.

Shift to Variable Pay

Tonello pointed to another factor restraining salary budgets. "Companies have chosen to shift from the fixed costs of salary raises to rewarding employees through annual bonuses and other performance-based compensation."

Variable pay vehicles (www.shrm.org/ResourcesAndTools/hr-topics/compensation/pages/incentive-pay-mix.aspx) such as annual or quarterly bonuses based on individual, team and organizational goal achievement "offer more flexibility and do not commit cash resources in advance and for the long term," Tonello said. "They can be tailored to year-end performance and cash availability, and significantly reduced in the following year if softening performance requires it."

Despite the mixed economic outlook, "We're seeing there is a willingness to provide compensation upside through short and long-term incentive plans and financial recognition programs," said Hay Group's McMullen. "Organizations are willing to provide handsome cash payments using these programs if they get the corresponding performance from the organization and its employees."

Willis Towers Watson's survey found that exempt employees are projected to receive annual performance bonuses that average 11.6 percent of salary in 2017, roughly the same amount companies budgeted for this year. Discretionary or incidental bonuses (www.shrm.org/ResourcesAndTools/hr-topics/compensation/Pages/incidental-bonuses-alternative-rewards.aspx), generally paid for special projects or one-time achievements, for exempt employees are projected to average 5.6 percent of salary, slightly more than the 5.3 percent average bonus awarded in 2015.

"Incentives tied to individual and company performance continue to play a greater role in an employee's total rewards package," said Sandra McLellan, North America practice leader for rewards at Willis Towers Watson.

At SHRM's 2016 Annual Conference & Exposition, held in June, variable pay advocate John A. Rubino explained why (www.shrm.org/ResourcesAndTools/hr-topics/compensation/pages/variable-pay-aligns-performance.aspx) he is on "a worldwide crusade to abolish merit-based salary" raises, which often fail to differentiate top performers from average employees. He argued that base pay should reflect each position's market value, while individual performance should be rewarded through lump-sum variable compensation. This results in "employees who are focused on adding value to the business by meeting and exceeding performance expectations," he said.

In the U.S., the percentage of organizations using variable pay marginally rose to 84 percent in 2016, WorldatWork reported in its complete 2016-2017 Salary Budget Survey (<https://www.worldatwork.org/adimLink?id=79994>). This number had been hovering around 80 percent for many years. A combination of awards based on both organization/unit success and individual performance continues to be the most prevalent type of variable pay program.

Regional Differences Greater for Variable Pay

Workers in most U.S. cities and across all industries can expect to see salary increases in line with the national average for 2017, according to Aon Hewitt. But workers in some U.S. cities are expected to see higher-than-average variable pay in 2017. These cities include Houston (21.1 percent), New York City (15.1 percent), Minneapolis/St. Paul (14.9 percent) and Chicago (13.7 percent).

"Variable pay budgets vary by city year over year and depend heavily on the performance of the specific industries that are located within the city as well as the local economic conditions," explained Ken Abosch, broad-based compensation leader at Aon Hewitt. "For example, the energy sector dominates Houston, which was hit with rocky financial performance this year. In 2017, Houston is expected to have the lowest base salary pay increases but the highest variable pay levels in the U.S., which allows these organizations to keep employees engaged and rewarded."

Financial Reward Opportunities

With continuing modest base pay increases likely for next year, employers should think about ways to differentiate themselves from competitors and appeal to job candidates. In addition to variable pay bonus programs that reward achievement, employers shouldn't discount career training and advancement opportunities. Getting promoted, after all, is still one of the best ways for employees to grow their paycheck.

Promotional increases were awarded to 8.0 percent (median: 7.0 percent) of employees in 2015, one-tenth of a percentage point greater than the 7.9 percent (median: 7.0 percent) average in 2014, WorldatWork found.

Of the promotional increases received, the size of the average pay increase remained unchanged at 8.4 percent (median: 8.0 percent). The planned amount that organizations spend on promotional increases in 2016 also had no change, at 1.5 percent (median: 1.0 percent) of total base salaries.

"Challenging business conditions and strong global competition this year means many companies are holding the line on compensation spending in the year ahead," said Abosch. "However, as the job market continues to improve, stagnant compensation spending could leave many companies in a difficult position in the war for top talent. Organizations may need to either re-think their compensation strategy, or emphasize the other benefits and perks they provide as a way to attract and retain the best workers."

Related SHRM Article:

Bonus Binge: Variable Pay Outpaces Salary (</ResourcesAndTools/hr-topics/compensation/Pages/variable-pay-outpaces-raises.aspx>), *SHRM Online Compensation*, August 2016

Incidental Bonuses and Alternative Rewards Are on the Rise (</ResourcesAndTools/hr-topics/compensation/Pages/incidental-bonuses-alternative-rewards.aspx>), *SHRM Online Compensation*, July 2016

Related SHRM Resource:

(</ResourcesAndTools/hr-topics/compensation/Pages/incidental-bonuses-alternative-rewards.aspx>)

For a round-up of salary budget forecasts, visit SHRM's (</ResourcesAndTools/hr-topics/compensation/Pages/incidental-bonuses-alternative-rewards.aspx>) Salary Increase Projections 2017

(<https://apps.shrm.org/HRresources/keyworddetails.aspx?type=6&id=146>) Express Request.

SALARY SURVEYS | MERIT PAY

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2017 Merit Increase Projections

By *Kristy Williams, CCP, Survey Manager*

Published October 18, 2016

We recently released our **2016 Salary Budget Survey**, which contains data from 219 participating Chicagoland member organizations. The survey reports average budgeted pay increases for the next 12-month period (including general, merit and/or cost of living adjustments (COLA)), as well as the types of pay increase programs used. Results are segmented by employee work group and by manufacturing, non-manufacturing or all industries combined.

The trend of giving approximately 3% increases continues for the sixth straight year. Local projections for 2017 (2.6% - 2.9%) are very similar to projections made in 2016 (2.8% - 3.1%). Looking historically at our survey, increases have stayed within the 1.5% - 3.6% range for the last 15 years. In fact, an average of 4.0% hasn't been achieved since the 2000-2001 time period, and you would have to go back 10 years further (1991) to see 5.0%.

Below is a chart showing our data as it compares to national sources (click for a larger view):





The results of the **2016 Salary Budget Survey** are made available to all members by the generosity of those that participated. If you find this data of value, please consider participating in the future. Members may download the full report under the "My Surveys" link on the "Surveys" tab. If you have questions, please contact us at 800-448-4584 or at info@hrsourcem.org.

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Resolution 17-99

A RESOLUTION APPROVING WAGE INCREASES
FOR GENERAL NON-UNION EMPLOYEES

WHEREAS, there are employees of the City of Council Bluffs, Iowa who do not bargain collectively with the City regarding wage and benefits; and

WHEREAS, it is in the best interest of the City of Council Bluffs to ensure the equitable treatment of all employees; and

WHEREAS, approval of this wage adjustment is considered to be consistent with the best interest of the City,

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That a 2.5% across the board increase be applied to the general non-union employees pay schedule on July 1, 2017.

ADOPTED AND APPROVED

May 8, 2017

Matthew Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Judi Thallas

Resolution 17-100

Council Action: 5/8/2017

Description

Resolution certifying the 2017 refuse collection lien schedule for nonpayment of residential refuse collection charges

Background/Discussion

Per the Code of Iowa and City Ordinance, a resolution has been prepared authorizing the Pottawattamie County Treasurer to certify an amount of approximately \$2,302.00 as liens against various properties serviced by the city refuse collections service. Any payments made on a delinquent accounts prior to the time of delivery to the County Treasurer will be adjusted accordingly.

Recommendation

That the City Clerk apply liens for unpaid garbage on the appropriate accounts.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-100	Resolution	5/3/2017

CERTIFYING THE 2017 REFUSE COLLECTION LIEN SCHEDULE FOR NONPAYMENT OF
RESIDENTIAL REFUSE COLLECTION CHARGES.

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the collection of residential refuse in the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the treatment of water and sewage in the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, Section 384.84 of the 2007 Code of Iowa provides that all rates or charges for the above named services, if not paid as provided by ordinance, shall constitute a lien upon the premises served by such service, and same may be certified to the County Treasurer and collected in the same manner as taxes, and;

WHEREAS, the premises listed on the 2017 Refuse Collection Lien Schedule on file with the Sanitation Billing Office and by this reference made a part hereof, have failed to pay the rates and charges heretofore established for service to said premises pursuant to said ordinances, and;

WHEREAS, it is in the best interest of the City of Council Bluffs, Iowa, to cause said unpaid rates and charges to be certified to the Pottawattamie County Treasurer and collected in the same manner as taxes:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA:

That the premises and charges identified against same on the 2017 Refuse Collection Lien Schedule for nonpayment of residential refuse collection charges in the amount of approximately **\$2,302.00** is hereby approved, and the City Clerk is hereby authorized, empowered and directed to certify said 2017 Refuse Collection Lien Schedule to the Pottawattamie County Treasurer to be collected in the same manner as taxes. An Authorized Officer of Finance is hereby authorized, empowered and directed to make the necessary adjustments to the accounts for payments received prior to the delivery of said liens to the Pottawattamie County Treasurer.

ADOPTED AND APPROVED:

May 8, 2017

Matthew J. Walsh, Mayor

Attest: _____
Jodi Quakenbush, City Clerk

SPECIAL EVENT PERMIT APPLICATION

(Must be turned in at least 10 days prior to event)

A Special Event Permit is required from the City of Council Bluffs for any special activity that requires exclusive use of city streets and sidewalks, requires special assistance of a city department, or is likely to have a large impact on traffic.

Please check any boxes that apply:

I. General Information.

- Organization/Person Requesting: The 712 Initiative
- Name of Event: Celebrate CB
- Contact Name: Kelsey Johnson
- Mailing Address for Contact: 1228 South Main St.
Council Bluffs, IA 51503
- Contact Phone Number: 712-396-2470
- Email: Kjohnson@The712Initiative.org
- Address of Event: City Streets, Bayliss Park and River's Edge Park
- Estimate of Number of Participants: 10,000 over the week
1-50 251-500
51-100 501-1,000
100-150 >1,000
- Attach map of event location, set-up, and/or route

II. Type of Event:

Circus
Carnival
Fireworks
Parade

*The above events require City Council approval, which could take 2-4 weeks to obtain.

Walk, Run, Bicycle Event

Concert

Neighborhood/Block or Private Party

Other: BBQ Contest

III. Date of Event

- Date Set Up 5-12-17
- Date Held 5-12 to 5-20

Date Taken Down 5-21-17
Times Held 8am - 12am (midnight)

IV. Brief description of event: Community celebration event with
BBQ contest, parade, Children's activities, Music,
Games and Carnival

V. Additional permits required when event includes

Sale of Alcoholic Beverages No, provided by MAC

- Requires temporary liquor license from the Iowa Alcoholic Beverage Division. Apply on-line at www.iowaabd.com. ABD can be reached at 1-866-469-2223.
- The application for a temporary liquor license must be reported to the City Clerk's office and approved by multiple City Departments before final approval of the City Council. (this process could take 2-4 weeks)

Sale of Food Products No, provided by MAC

- Requires temporary food permit from City Department of Public Health (712-328-4666).

Fireworks No

- Requires permit from City Fire Department (712-328-4646).

Noise

- If event includes music, a live band, or noise of any kind a request for a noise variance must be made. A form is available from the City Health Department (712-328-4666).

VI. Traffic Control

Request Police Assistance for Same as last year
Exhibit A

Cost for City worker's overtime may be required. Administrative fees for police services and cruisers are provided at additional costs.

Street closures (Must include a Map) Starting 8:00 am

- Street closures must be in compliance with the Manual for Uniform Traffic Control Devices. Traffic control barricades and signage must be furnished and placed by qualified companies or by the city. The city charges fees for this service.
- Street closures require abutting property owners' concurrence. Petition/permission form attached.

VII. Please check any of the following boxes that apply to this event.

- animals
- open fires (other than barbeques)
- ☒ portables (porta-potties) – recommendations based on duration/people attending
- ☒ using a park, sidewalk or street surrounding a park
- ☒ using any portion of a public trail
- ☒ using any public area
- there will alcoholic beverages be sold
- there will alcoholic beverages be served
- there will there be a fee/charge to take part in this event

If you checked any of the boxes above, please give a brief description below:

BBO • Contestant entry fee, parade participant entry fee, carnival fee
all other activities are free

PLEASE NOTE: The request form must be returned to the City Clerk's Office, 209 Pearl Street, at least 10 business days prior to the event or the event will be denied. If you have any questions please contact us at 712-328-4616

For City Use Only:

Name of Special Event: _____

Date of Special Event: _____

Note to Departments: You are requested to review this application and return it to the city Clerk's Office with any comments shown below. Comments should include pertinent laws and ordinances as well as notice of any required changes, fees, permits, and licenses.

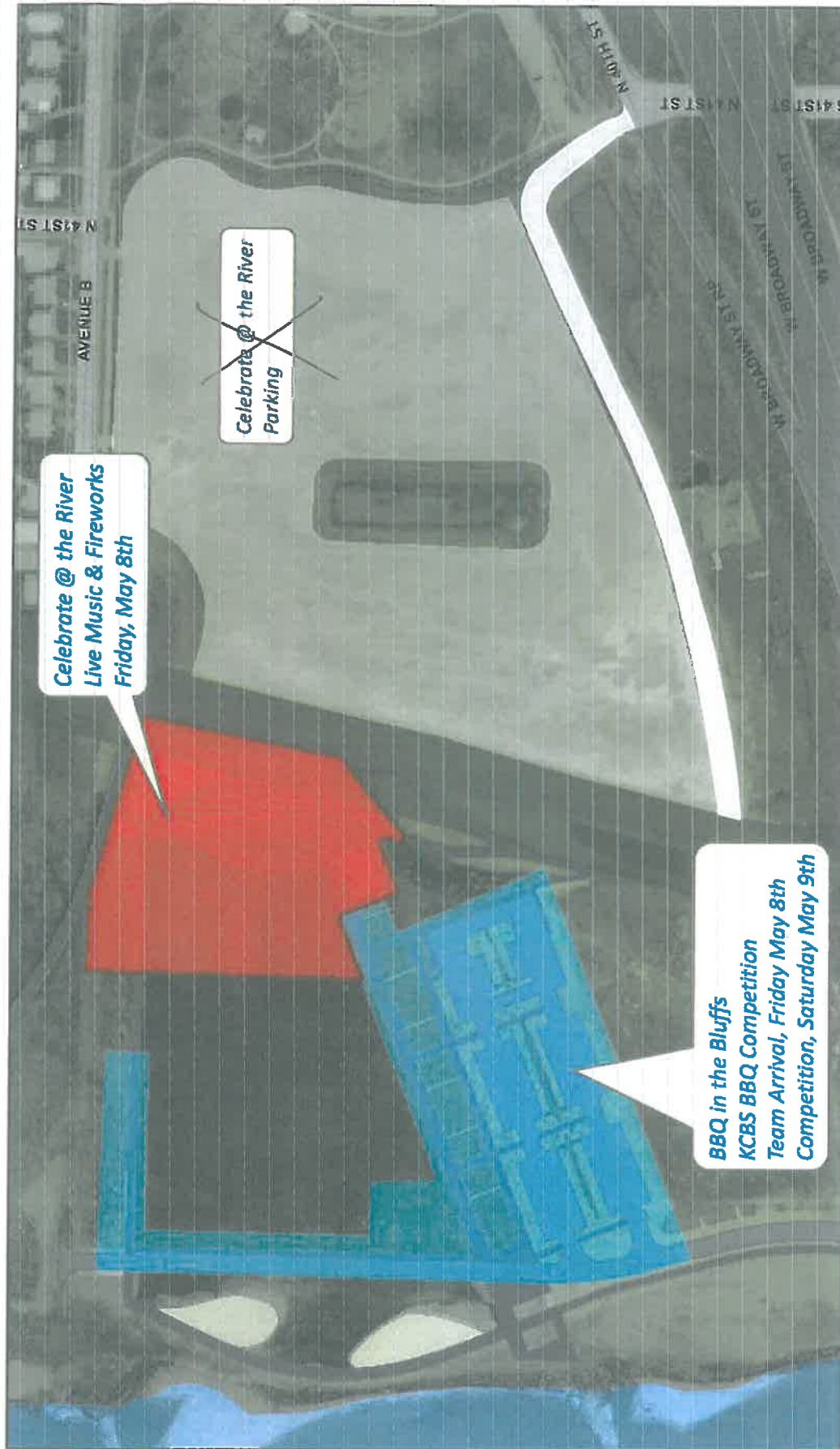
Department Comments: _____

Approved

Denied

Department: _____

Signature/Initials: _____



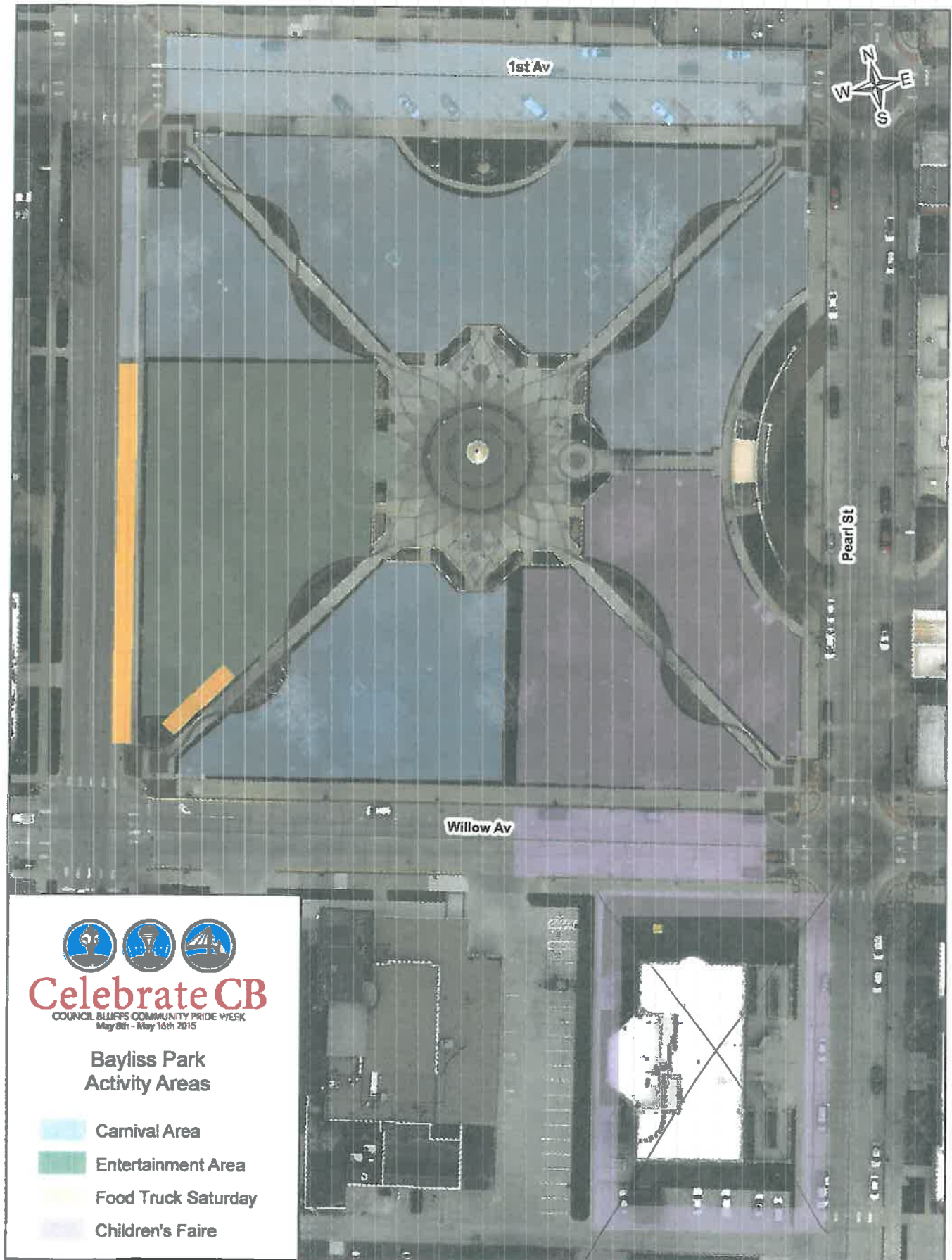
Hanafan Rivers Edge Park Celebrate @ the River Event Set-up



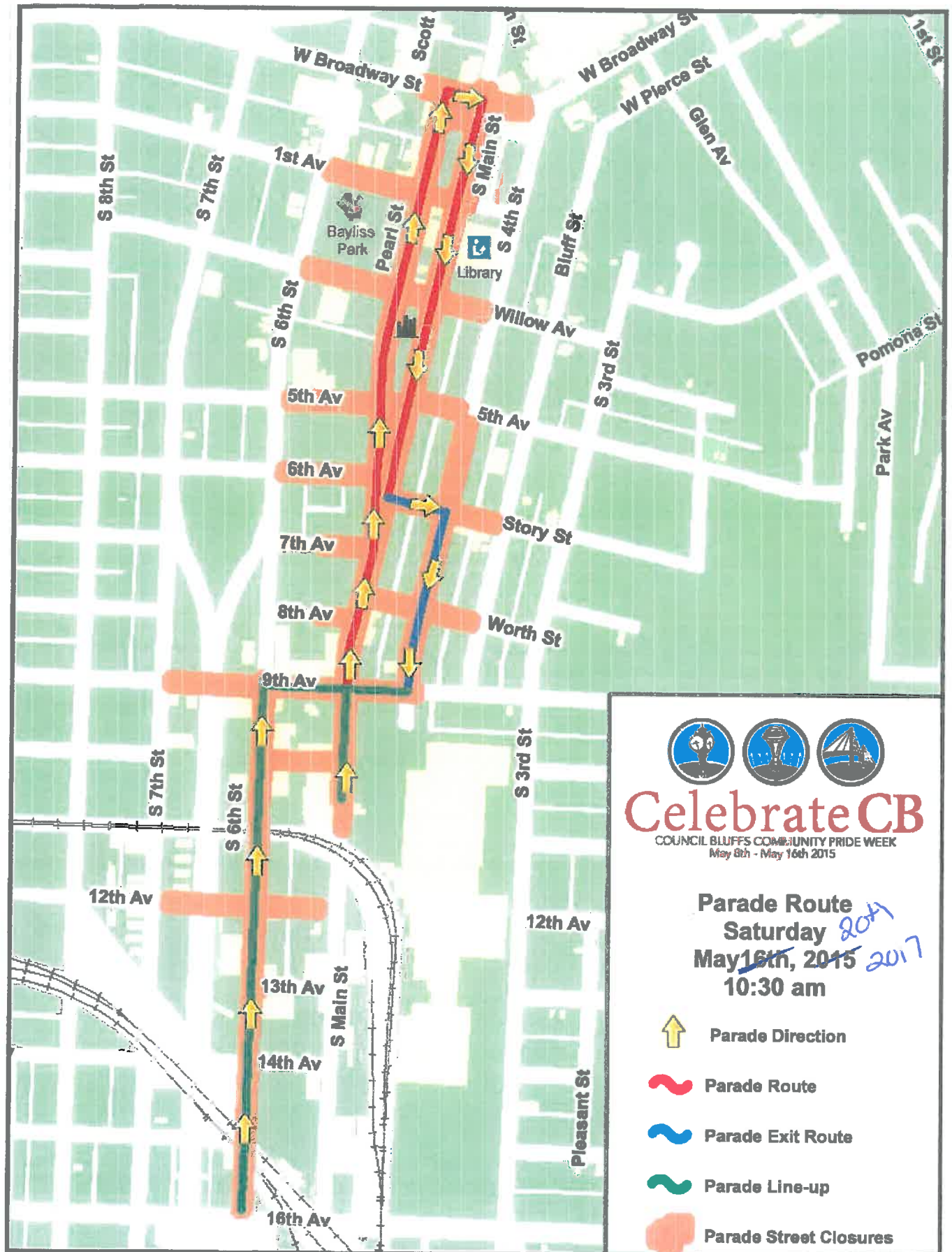
CelebrateCB

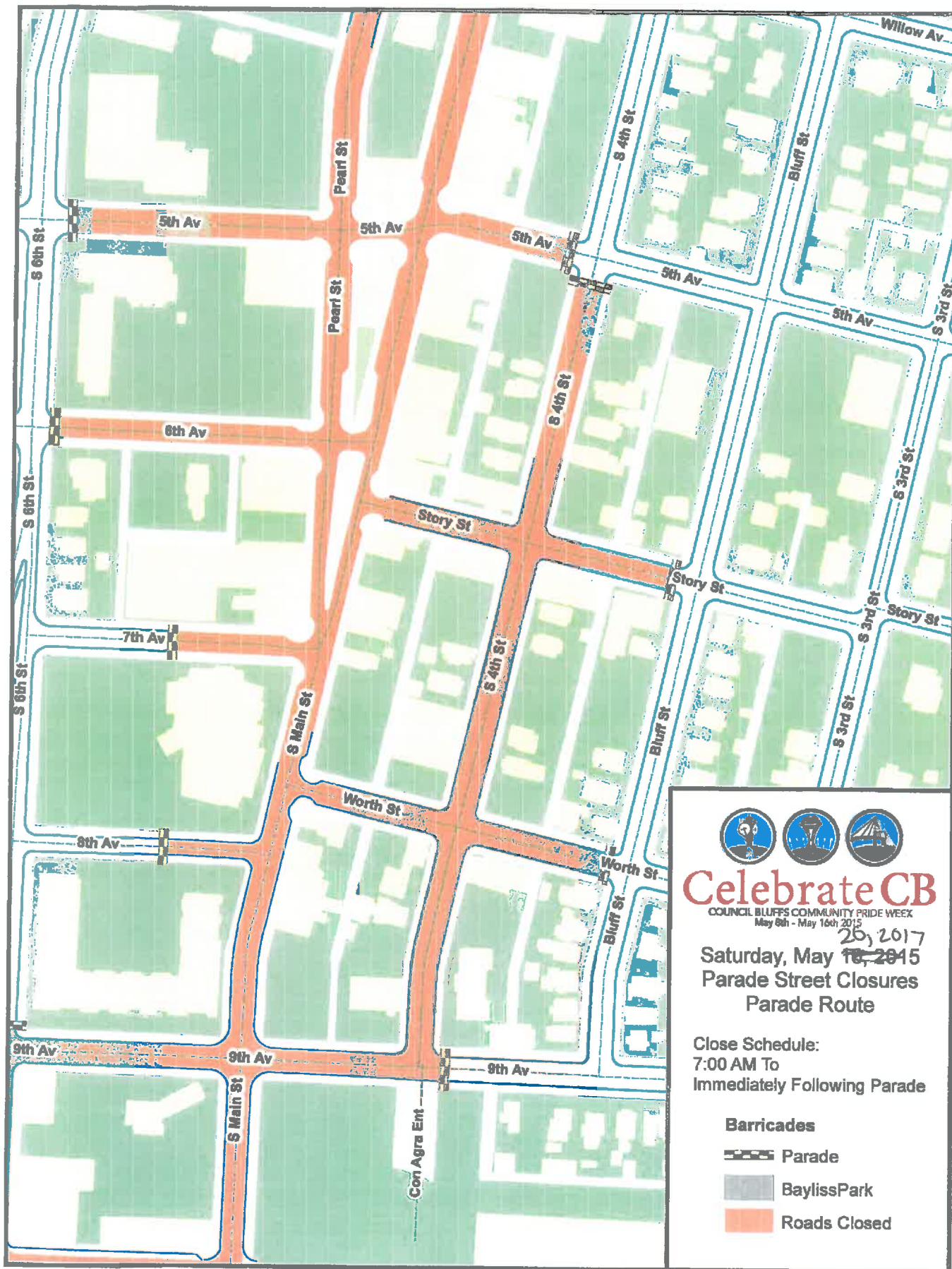
COUNCIL BLUFFS COMMUNITY PRIDE WEEK
May 8th - May 16th 2015

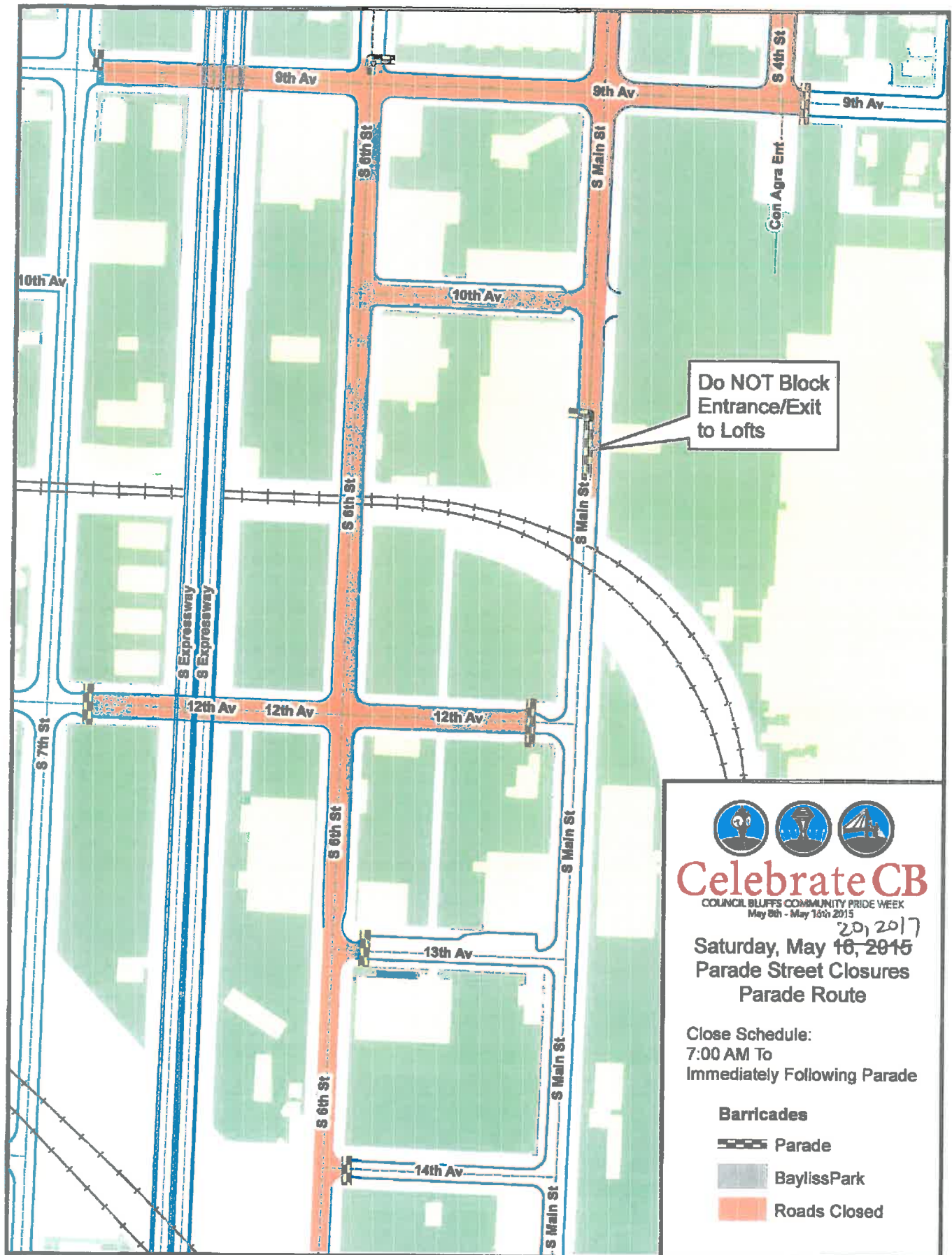
Picture Me in CB!











Ancillary
Event



Ag Committee Spring Cookout

May 19th

The Ag Committee spring cookout in Bayliss Park has long been a traditional part of Celebrate CB activities. The committee serves up steak sandwiches and hamburgers from 11 am to 2 pm at Bayliss Park. Proceeds go toward college scholarships for area students studying agri-business. Prices are \$6.00 and \$8.00 and include chips and a drink.

Parade Setup 8am
Parade start 10:30am
↓
noon



Celebrate CB Parade & Bayliss Park Activities

May 20th

10:30 am

Contest starts on May 1st and entries are due by midnight on Saturday, May 21st!
More information and the announcement of the prize packages will be on
www.celebratecb.com (<http://www.celebratecb.com>) on May 1st.



Celebrate @ the River

7am - Begin staging BBQ Teams

5pm - Great American CookOut Professional BBQ demonstrations
and tasting

7pm - ~~opening~~ opening ceremonies begin on stage
May 12th - 7:30pm

7:30 - Band - Taxi Driver

Celebrate CB 2017 "CB, Just Getting Started" will kick off at Hanafan Rivers Edge Park with a free Concert by Taxi Driver. Council Bluffs Mayor, Matt Walsh will begin the festivities with the opening proclamation at 6:00 pm followed by the unveiling of the city's new image campaign and the announcement of the Celebrate CB's 2016 Grand Marshal.



Clean Sweep

This Council Bluffs traditional parade brings the Downtown Council Bluffs area to life every May. The Theme this year is “CB Just Getting Started! Parade Starts at 10:30 am. The route (<http://2014.celebratecb.com/wp-content/uploads/2012/04/ParadeRoute2012.pdf>) begins and ends in Downtown Council Bluffs, and is centered on the historical and beautiful Bayliss Park area. After the parade, activities abound in the park including music, kid’s activities and carnival rides. Register for the parade at www.celebratecb.com (<http://www.celebratecb.com>)

Contact Us

P.O. Box 1544

Council Bluffs, IA 51502-1544

info@celebratecb.com (<mailto:info@celebratecb.com>)

Event Forms

Parade Entry (<http://www.celebratecb.com/wp-content/uploads/2017/03/celebrate-cb-parade-form-and-waiver-2017-1.pdf>)

Barbecue Entry (<http://www.celebratecb.com/wp-content/uploads/2017/03/bbq-form-rev-3-22-17.pdf>)

Barbeque Judges App (<http://www.celebratecb.com/wp-content/uploads/2016/02/judges-registration-2016-2.pdf>)

Grand Marshal Online Form (<http://www.celebratecb.com/grand-marshal/>)

Grand Marshal Printed Form (<http://www.celebratecb.com/wp-content/uploads/2017/04/CB-2017-Grand-Marshal-Non-Form-3.pdf>)

EXHIBIT "A"

12 + 13, 2017

The Council Bluffs Police department will provide four officers May ~~10 and 11, 2017~~ from 4:00 PM to 11:00 PM for security and crowd control at River's Edge Park for Celebrate CB Barbecue Contest and street dance. One officer overnight on May ~~10th~~ from 11:00 pm to 8:00 am May, ~~11~~, 2017. We will provide four officers per night on May ~~11~~ and ~~12th~~ from 7:00 PM until 11:00 PM or until the crowd disperses at Bayliss Park for Carnival Patrol. We will provide four officers from 1200-2300 on Saturday May ~~12th~~ at Bayliss Park for Carnival Patrol. We will provide ten officers for the Celebrate CB Parade May ~~13~~, 2017 from 8:30 AM until approximately 12:30 PM.

For City Use Only:

Name of Special Event: Heartland Pride Parade
Date of Special Event: June 17, 2017 10:00 am

Note to Departments: You are requested to review this application and return it to the city Clerk’s Office with any comments shown below. Comments should include pertinent laws and ordinances as well as notice of any required changes, fees, permits, and licenses.

Department Comments: _____

- ☐ Approved
- ☐ Denied

Department: _____
Signature/Initials: _____

CD _____
FIRE _____
HEALTH _____
LEGAL _____
PARKS _____
POLICE _____
PW _____
RISK M _____
INS CERT _____
COUNCIL _____
FORMS SENT OUT _____

Jodi Quakenbush

From: noreply@civicplus.com
Sent: Tuesday, April 18, 2017 5:58 PM
To: Jodi Quakenbush; Marcy Worden
Subject: Online Form Submittal: Special Event Application

Special Event Application

City Clerk's Office
(712) 328-4616

First Name	Helen
Last Name	Broadway-Savage
Address1	229 S. Main St.
Address2	<i>Field not completed.</i>
City	COUNCIL BLUFFS
State	Iowa
Zip	51503
Phone Number	4024526164
Event Name	Heartland Pride Parade
Event Location	downtown council Bluffs (Main and Pearl)
Estimate of Number of Participants	1,000+
Type of Event	Parade*
*Acknowledgement to Proceed	I Agree
Date of Event	June 17, 2017
Time of Event	10AM
Set Up Date	June 17, 2017
Date Taken Down	June 17, 2017

Brief Description of the Event	This will be the Heartland Pride Parade. We use the same route as Celebrate CB except we do not need Broadway closed off. We use the the loop between Main and Pearl by the fountain. We will start setting up around 8:30. Parade should be concluded by about 11AM and everyone should be out of the downtown area by noon.
--------------------------------	---

Additional permits required with event includes:	<i>Field not completed.</i>
--	-----------------------------

Traffic Control	Request Police Assistance
-----------------	---------------------------

Explain Police Assistance Needs	Traffic control.
---------------------------------	------------------

Street Closures	Request Street Closure (Must include Map)
-----------------	---

Upload File (Map, Street Closure Permission, etc.)	<u>Parade map arial view.pdf</u>
--	--

Upload File (Map, Street Closure Permission, etc.)	<u>Final route with barricade locations.pdf</u>
--	---

Please check any of the following boxes that apply to this event.	using a park, sidewalk or street surrounding a park, using any public area
---	--

If you checked any of the boxes above, please give a brief description below:	We will need electricity to run from Bayliss park to the sidewalk in front of the Memorial at the park (on Pearl). People will also conglomerate on the sidewalks to watch the parade. ** I am still working on the insurance certification.
---	--

Insurance Requirements:
An Insurance Certificate is required in the amount of \$1,000,000, for Liability coverage, listing the City of Council Bluffs as an additional insured, for all events.

Insurance Requirements	<i>Field not completed.</i>
------------------------	-----------------------------

PLEASE NOTE:
This request form must be submitted or returned to the City Clerk's Office, 209 Pearl Street, at least 10 business days prior to the event. If not returned within 10 business days the event will be denied. If you have any questions, please contact the City Clerk's Office (712) 328-4616

Email not displaying correctly? [View it in your browser.](#)

